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REPORTS
FROM
COMMITTEES:

FOUR VOLUMES.

— (3.) —

POLICE AND SANITARY REGULATIONS;
POST OFFICE SITES BILL;
QUEEN ANNE'S BOUNTY BOARD;
RAILWAYS (IRELAND) AMALGAMATION BILLS;
RAILWAYS (PREVENTION OF ACCIDENTS) BILL;
REGISTRATION OF FIRMS BILL; SEA FISHERIES BILL;
SUNDAY CLOSING (WALES) ACT (1881)
AMENDMENT BILL; TOWN COUNCILS (SCOTLAND) BILL;
VETERINARY SURGEONS AMENDMENT BILL.

Session 1.—30 *January* 1900 — 8 *August* 1900.
Session 2.—3 *December* 1900 — 15 *December* 1900.

VOL. VIII.

1900.

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1900.

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3

R E P O R T

FROM THE

SELECT COMMITTEE

ON

POLICE AND SANITARY REGULATIONS BILLS;

WITH THE

PROCEEDINGS OF THE COMMITTEE.

*Ordered, by The House of Commons, to be Printed,
6 August 1900.*

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1900.

POLICE AND SANITARY REGULATIONS BILLS.

Ordered,—[*Thursday, 8th March 1900*]:—THAT the Committee of Selection do appoint a Committee, not exceeding Nine Members, to whom shall be committed all Private Bills promoted by municipal and other local authorities, by which it is proposed to create powers relating to Police and Sanitary Regulations which deviate from, or are in extension of, or are repugnant to, the general law.

THAT the Committee have power to send for Persons, Papers, and Records.

THAT Three be the Quorum of the Committee.

THAT it be an Instruction to the Committee in their Report, under Standing Orders 150 and 173A, to state their reasons for granting any powers in conflict with, deviation from, or excess of, the general law.

THAT it be an Instruction to the Committee not to insert in any Bill referred to them any provision which is already in force in the district to which the Bill applies under any public Act, or which might be put in force by adopting the provisions of any adoptive Act.

THAT, in the case of Bills reported from the Committee, Three clear days shall intervene between the date when the Report of the Committee is circulated with the Votes and the consideration of the Bill.—(Mr. *Jesse Collings*.)

Committee of Selection, 20th March 1900.

The Select Committee on Police and Sanitary Regulations Bills is nominated of:—

Sir Henry Bemrose, Mr. Bill, Lord Edmond Fitzmaurice, Mr. Heywood Johnstone, Mr. Leuty, Mr. McKenna, Mr. M'Killop, Mr. H. J. Wilson, Mr. J. W. Wilson.

Committee of Selection, 27th March 1900.

Select Committee on Police and Sanitary Regulations Bills.—Mr. M'Killop is discharged.—Mr. Wylie is added to the Committee.

Ordered,—[*Tuesday, 8th May 1900*]:—THAT the Committee of Selection do add Two Members to the Select Committee on Police and Sanitary Regulations Bills; that they do divide the Committee, so augmented, into two Committees, and from time to time apportion the Bills committed to the original Committee and not already disposed of between the two Committees, each of which shall have the full powers of and be subject to the orders and instructions in force in the case of the undivided Committee.

THAT Three be the quorum of each Committee.—(Mr. *Jesse Collings*.)

[*Friday, 11th May 1900*]:—Mr. Leuty was discharged.—Mr. Wason, Mr. Runciman, and Mr. Graham were added.

Committee of Selection, 22nd May 1900.

The Tottenham Urban District Council Bill is removed from the list of Bills to be considered by the Select Committee on Police and Sanitary Regulations, the Police and Sanitary Clauses having been withdrawn.

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R E P O R T.

THE SELECT COMMITTEE to whom were referred all Private Bills promoted by Municipal and other Local Authorities, by which it is proposed to create Powers relating to POLICE and SANITARY REGULATIONS which deviate from, or are in extension of, or are repugnant to the General Law;—
HAVE agreed to the following SPECIAL REPORT:—

1. YOUR Committee having concluded their labours for the Session of 1900, desire to make the following Report upon the work they have done, and as to the considerations which have governed their decisions.

2. The first meeting of your Committee took place on the 27th March and the last on the 19th July.

It appeared to your Committee after sitting 12 days, during which they had considered the Liverpool Corporation, Bradford Corporation, Aberdeen Police and Improvement, and Ilfracombe Improvement Bills, that it would be impossible for them to conclude the consideration of all the Bills referred to them at a sufficiently early date to allow of their passage through both Houses. Accordingly in pursuance of an Order of the House your Committee was augmented by three members, divided into two sections by the Committee of Selection, and the remaining seventeen Bills were apportioned between them. Each section met thrice weekly, and the contingency of Bills having to be abandoned owing to postponement of consideration till an advanced period of the Session was by this means avoided.

3. The following Bills were referred to and passed by your Committee: Liverpool Corporation, Bradford Corporation, Aberdeen Police and Improvement, Ilfracombe Improvement, Farnworth Urban District Council, Halifax Corporation, Lancaster Corporation, Oldham Corporation, Rochdale Corporation, Scarborough Corporation, West Ham Corporation, Hastings Corporation, Coventry Corporation, Southport Corporation, West Bromwich Corporation, Croydon Tramways and Improvements, Taunton Corporation, Preston Corporation [Lords], Sheffield Corporation [Lords].

4. Your Committee have not granted powers which are in excess of, or which contravene, the General Law, except in cases where local evidence has been produced, and where, by such evidence, proof has been given that difficulties were experienced in the locality with which the existing law has been found unable to cope; or where it has appeared to them desirable, in the interests either of public health or of public convenience or security, that some powers should be granted to the locality other than those conferred upon them by the General Law.

5. With reference to the periods for repayment of loans, your Committee have differentiated between work of a permanent and that of a temporary character, and they have endeavoured to put into practice the principle that the term for repayment shall be based upon the estimated life of the work in question, so that unfair burdens should not be thrown upon a future generation.

6. A considerable amount of discussion has taken place in Parliament in regard to the Model Clauses inserted in several Bills with reference to the right of inspection proposed to be conferred on Urban Authorities outside their own limits with a view to the prohibition within the urban limits of the sale of milk produced by tuberculous cows. The Model Clauses on this subject seem now to be generally accepted, subject to a special right of appeal being reserved to any dairyman who considers himself to be aggrieved. The exact terms of an appeal clause are now under the consideration of the Local Government Board, and it is proposed that it should be added to the Model Clauses in the Bills now before Parliament, and in any future Bills dealing with the matter.

7. Your Committee have again received most valuable assistance from Mr. Boyce, representing the Local Government Board. His departmental knowledge, experience of local legislation, and familiarity with the work of the Police and Sanitary Regulations Committee, make his presence essential to the due and satisfactory discharge of their duties. Your Committee also take this opportunity of acknowledging their obligations to Mr. Troup, C.B., who has ably represented the Home Office. They have also from time to time received the valuable assistance of Mr. Pelham, of the Board of Trade, Mr. Durnford, of the Charity Commissioners, Mr. Dodds, of the Scotch Office, and Mr. Jones, of the Board of Agriculture.

8. Your Committee have found that in some instances clauses are still inserted in Improvement Bills which, although possibly based on precedents, cannot be supported by evidence of local requirements; also that clauses are inserted which assume to but do not meet the requirements of the particular locality, as shown by the evidence of the witnesses, and that other clauses are inserted without any adequate attempt having been made to enforce the General Law, which is alleged, but is not proved, to be deficient.

9. It appears to your Committee that much unnecessary expense to the parties, and valuable time to the Committee, might be saved by the exercise of greater care in preparing Improvement Bills, and in revising them before submission to the Committee in the light of the evidence to be given by the witnesses, and by a more strict regard to the Model Clauses and recent precedents.

10. Your Committee desire strongly to reiterate the suggestion previously offered, for the consideration of the House, whether the time has not arrived for the inclusion in a Public Bill of many of the clauses which are so frequently introduced into Private Bills, and which have almost invariably been accepted by Parliament. It appears to your Committee that much trouble and expense might be saved if the necessity for application to Parliament for such powers by individual authorities were rendered unnecessary.

6 August 1900.

PROCEEDINGS OF THE COMMITTEE.

Tuesday, 27th March 1900.

MEMBERS PRESENT:

Lord Edmond Fitzmaurice.
Mr. Reginald McKenna.
Mr. J. W. Wilson.

Sir Henry Bemrose.
Mr. Heywood Johnstone.
Mr. Bill.

Lord EDMOND FITZMAURICE was called to the Chair.

The Committee agreed to consider the LIVERPOOL CORPORATION BILL and the BRADFORD CORPORATION BILL on Tuesday, 3rd April.

[Adjourned till Tuesday, 3rd April, at Twelve o'clock.

Tuesday, 3rd April 1900.

MEMBERS PRESENT:

Lord EDMOND FITZMAURICE in the Chair.

Mr. Bill.
Mr. Reginald McKenna.
Mr. Wylie.

Mr. H. J. Wilson.
Mr. J. W. Wilson.
Mr. Heywood Johnstone.

LIVERPOOL CORPORATION BILL.

Counsel:—Mr. *Pope*, q.c., and Mr. *G. A. R. FitzGerald*.

Agents:—Messrs. *Sherwood & Co.*

BRADFORD CORPORATION BILL.

Counsel:—Mr. *Balfour Browne*, q.c., Mr. *Freeman*, q.c., and Mr. *Waugh*.

Agents:—Messrs. *Dyson & Co.*

The following Petitions against the Bill were read:—

MARY ANN SAGAR.

Counsel:—Reserved.

Agents:—Messrs. *Sherwood & Co.*

AIREDALE GAS COMPANY.

Counsel:—Mr. *J. D. FitzGerald*, q.c., and Mr. *Moon*.

Agents:—Messrs. *Rees and Frere*.

CLAYTON, ALLERTON, AND THORNTON GAS COMPANY.

Counsel:—Mr. *J. D. FitzGerald*, q.c., and Mr. *Moon*.

Agents:—Messrs. *Sherwood & Co.*

ECCLESHILL AND BOLTON GAS COMPANY.

Counsel:—Mr. *Baggallay*, q.c., and Mr. *Honoratus Lloyd*.

Agents:—Messrs. *Sherwood & Co.*

SIR

SIR THEOPHILUS PEEL AND OTHERS:

Counsel:—Reserved.

Agents:—Messrs. *Sherwood & Co.*

BRADFORD TRAMWAYS AND OMNIBUS COMPANY.

Counsel:—Reserved.

Agents:—Messrs. *Sharpe & Co.*

CLECKHEATON URBAN DISTRICT COUNCIL.

Counsel:—Reserved.

Agents:—Messrs. *Torr & Co.*

DENHOLME URBAN DISTRICT COUNCIL.

Counsel:—Reserved.

Agents.—Messrs. *Baker & Co.*

DRIGHLINGTON AND GILDERSOME GAS LIGHT COMPANY.

Counsel:—Mr. *Worsley Taylor*, Q.C.Agents:—Messrs. *Wyatt & Co.*

NORTH BRIERLEY GAS COMPANY.

Counsel:—Mr. *Wedderburn*, Q.C., and Mr. *Honoratus Lloyd*.Agents:—Messrs. *Sharpe & Co.*

LIVERPOOL CORPORATION BILL.

Bill unopposed.

Preamble read the first time.

Reports from the Local Government Board and the Secretary of State for the Home Department were read.

Mr. *Boyce* and Mr. *Troup*, C.B., appeared in support of the reports respectively.

Mr. *Pope*, Q.C., was heard in support of the Preamble.

Preamble, *postponed*.

Clauses considered.

Clauses 1—4, *postponed*.

On Clause 5 ("Power to execute Street Improvements, &c."):

Mr. *John Shelmerdine*, sworn, and examined.

Clause, *agreed to*.

Clause 6, *agreed to*.

Clauses 7—13, *agreed to*.

Clauses 13—15, *agreed to*.

On Clauses 16—24 ("Provisions as to Milk Supply"):

Dr. *Edward W. Hope*, sworn, and examined.

Clauses 16—24, *postponed*.

Clause 25, *agreed to*.

On Clauses 26—28:

Sir *Thomas Hughes*, sworn, and examined.

Clauses, *agreed to*.

On Clause 29 (" Power to borrow "):

Sir *William Forwood*, sworn, and examined.

Clause *postponed*.

On Clause 30 (" Mode of Raising Money and of Repayment "):

Sir *Thomas Hughes*, recalled, and further examined.

Clause, *agreed to*.

Clause 31, amended, and *agreed to*.

Clause 32, *disagreed to*.

On Clause 33 (" Superannuation Allowance to Officers and Servants "):

Sir *Thomas Hughes*, recalled, and further examined.

Clause, *agreed to*.

Clause 34, *agreed to*.

On Clause 35 (" Warehousemen's Licences "):

Mr. *Edward Pickmure*, sworn, and examined.

Clause, *agreed to*.

Clause 36, *agreed to*.

Clause 37—41, *disagreed to*.

Clauses 42—45, *agreed to*.

Postponed Clauses 1—4, *agreed to*.

Postponed Clause 29, amended, and *agreed to*.

Preamble read a second time, amended, and *agreed to*.

New Clauses brought up, and *agreed to*.

[Adjourned till To-morrow, at Half-past Eleven o'clock.

Wednesday, 4th April 1900.

MEMBERS PRESENT :

Lord EDMOND FITZMAURICE in the Chair.

Mr. H. J. Wilson.
Mr. J. W. Wilson.

Mr. Bill.
Mr. Reginald McKenna.

BRADFORD CORPORATION BILL,

Preamble read the first time.

Reports from the Local Government Board and the Secretary of State for the Home Department were read.

Mr. *Boyce* and Mr. *Troup*, C.B., appeared in support of the Reports respectively.

Mr. *Balfour Browne*, Q.C., was heard in support of the Preamble, and called evidence.

Mr. *Frederick Stevens*, Mr. *Edward Lupton*, Mr. *William E. Akroyd*, and Mr. *Charles Wood*, sworn, and examined.

[Adjourned till To-morrow, at Twelve o'clock.

Thursday, 5th April 1900.

MEMBERS PRESENT:

Lord EDMOND FITZMAURICE in the Chair.

Mr. H. J. Wilson.
Mr. J. W. Wilson.

Mr. Bill.
Mr. Reginald McKenna.

BRADFORD CORPORATION BILL—*continued.*

Further evidence in support of the Preamble.

Mr. *Charles Wood*, recalled, and further examined.

Mr. *Corbett Woodall*, sworn, and examined.

Mr. *Charles Wood*, recalled, and further examined.

Mr. *E. H. Stevenson*, sworn, and examined.

[Adjourned till To-morrow, at Twelve o'clock.]

Friday, 6th April 1900.

MEMBERS PRESENT:

Lord EDMOND FITZMAURICE in the Chair.

Mr. H. J. Wilson.
Mr. Bill.

Mr. Reginald McKenna.

BRADFORD CORPORATION BILL—*continued.*

Further evidence in support of the Preamble.

Mr. *Corbett Woodall* and Mr. *E. H. Stevenson*, recalled, and further examined.

Mr. *Charles Hunt*, sworn, and examined.

This was the case for the Promoters.

Room cleared.—The Committee deliberated.

Question, That the further consideration of the part of the Bill relating to the Gas Undertaking be adjourned till after the reassembling of the House after the Easter Recess, with a view to the possibility of parties coming to terms meanwhile,—put, and *agreed to.*

Parties called in and informed of the decision of the Committee.

Mr. *Freeman*, q.c., on behalf of the Promoters, was heard to announce that they had come to terms with the North Brierley Gas Company.

Preamble postponed.

Clauses considered.

Clauses 1—5, *postponed.*

Clauses 6—18, *postponed.*

On Clause 19 ("Power of Corporation to stop up Chapel-lane, and other Streets"):

Mr. *Freeman*, q.c., was heard to address the Committee in support of the Clause, and called evidence.

Mr. *Henry B. Ratcliffe*, Mr. *George Woodhead*, and Mr. *John H. Cox*, sworn, and examined.

This was the case for the Promoters in support of this Clause.

Mr.

Mr. *Wedderburn*, Q.C., called evidence in support of the Petition of Sir Theophilus Peel.

Sir *Theophilus Peel* and Mr. *Wheater Smith*, sworn, and examined.

This was the case for the Petition.

Clause *disagreed to*.

Clauses 20—43, *postponed*.

Clause 44, amended, and *agreed to*.

[Adjourned till Tuesday, 1st May at Twelve o'clock.]

Tuesday, 1st May 1900.

MEMBERS PRESENT:

Lord EDMOND FITZMAURICE in the Chair.

Mr. Heywood Johnstone.
Sir H. Bemrose.

Mr. H. J. Wilson.
Mr. Reginald McKenna.

ABERDEEN POLICE AND IMPROVEMENT BILL.

Counsel:—Mr. *Pembroke Stephens*, Q.C., Mr. *Erskine Pollock*, and Mr. *G. A. R. FitzGerald*.

Agents:—Messrs. *Martin and Leslie*.

The following Petitions against the Bill were read:—

GREAT NORTH OF SCOTLAND RAILWAY.

Counsel:—Mr. *Worsley Taylor*, Q.C., Mr. *Baggallay*, Q.C., and Mr. *Acworth*.

Agents:—Messrs. *Dyson & Co.*

OWNERS IN ABERDEEN.

Counsel:—Mr. *J. D. FitzGerald*, Q.C., and Mr. *J. Shaw*.

Agents:—Messrs. *Beveridge*.

ALEXANDER PIRIE AND SONS.

Counsel:—Mr. *Forbes Lankester* and Mr. *H. Gully*.

Agent:—Mr. *J. Kennedy*.

CALEDONIAN RAILWAY COMPANY.

Counsel:—Mr. *Little*, Q.C., C.B., Mr. *Pember*, Q.C., Mr. *Worsley Taylor*, Q.C., Mr. *Baggallay*, Q.C., and Mr. *William Russell*.

Agents:—Messrs. *Grahames, Currey, and Spens*.

BRADFORD CORPORATION BILL—*continued*.

Mr. *Freeman*, Q.C., on behalf of the Promoters, was heard to inform the Committee that they had been unable to come to terms with the Gas Companies opposing the Bill, with the exception of the North Brierley Gas Company.

Room Cleared.—The Committee deliberated.

Question, That so much of the Preamble of the Bill as relates to the gas undertaking is proved,—put, and *negatived*.

Parties called in, and informed of the decision of the Committee.

Clauses further considered.

Postponed Clauses 20—33, *disagreed to*.

Postponed Clauses 34—43 ("Tuberculosis") considered.

Clauses 34—37, *agreed to*.

Clause 38, amended, and *agreed to*.

Clauses 39—43, amended, and *agreed to*.

On postponed Clause 6 ("Power to make Tramways"):

Mr. *Freeman* called evidence.

Mr. *John Henry Cox*, sworn, and examined.

Clause, *agreed to*.

Postponed Clauses 7—10, *agreed to*.

Postponed Clauses 11—13, *agreed to*.

Postponed Clause 14, *disagreed to*.

Postponed Clauses 15—18, *agreed to*.

Clause 45, *agreed to*.

Clause 46, amended, and *agreed to*.

New Clauses 46A—46H, *agreed to*.

Clause 47, amended, and *agreed to*.

Clauses 48—50, *agreed to*.

Clause 51, *agreed to*.

Clause 52, *disagreed to*.

Clause 53, *agreed to*.

New Clause 53A, *agreed to*.

Clause 54, 54A, and 55, *agreed to*.

[Adjourned till To-morrow, at Twelve o'clock.]

Wednesday, 2nd May 1900.

MEMBERS PRESENT :

Lord EDMOND FITZMAURICE in the Chair.

Sir H. Bemrose.

Mr. Heywood Johnstone.

Mr. H. J. Wilson.

Mr. Reginald McKenna.

BRADFORD CORPORATION BILL—*continued*.

New Clauses brought up, and *agreed to*.

Mr. *Freeman*, Q.C., on behalf of the Promoters, brought up and was heard in support of New Clause 33A.

Mr. *Forbes Lankester*, on behalf of the Cleckheaton Urban District Council, was heard against the Clause.

Room Cleared.—The Committee deliberated.

New Clause 33A, *agreed to*.

Parties called in and informed of this decision.

Mr. *Forbes Lankester*, on behalf of the Cleckheaton Urban District Council, brought up and was heard in support of a new Clause ("Equality of Charge for Gas")

Mr. *Waugh*, on behalf of the Promoters, was heard against the proposed Clause.

Mr. *Forbes Lankester* was heard in reply.

Room cleared.—The Committee deliberated.

Clause *disagreed to*.

Parties called in and informed of the decision of the Committee.

Preamble read a second time, and amended.

Question,

Question, That the Preamble, as amended, is proved,—put, and *agreed to*.

Postponed Clauses 1—5, *agreed to*.

Report read, and *agreed to*.

Ordered, to Report.

ABERDEEN POLICE AND IMPROVEMENT BILL.

Preamble read the first time.

A Report from the Scotch Office was read. At the request of the Committee, Mr. *Dodds* appeared in support of the Report.

Mr. *Pembroke Stephens*, Q.C., was heard in support of the Preamble, and called evidence.

Mr. *William Dyack*, sworn, and examined.

[Adjourned till To-morrow, at Twelve o'clock.

Thursday, 3rd May 1900.

MEMBERS PRESENT:

Lord EDMOND FITZMAURICE in the Chair.

Mr. Reginald McKenna.

Mr. Heywood Johnstone.

LIVERPOOL CORPORATION BILL—*continued*.

Clauses further considered.

Postponed Clauses 16—24, *agreed to*.

On postponed Clause 29 ("Power to borrow"):

Mr. *Edward Shelmerdine*, sworn, and examined.

Clause, amended, and *agreed to*.

New Clauses, *agreed to*.

Report read, and *agreed to*.

Ordered, to Report.

ABERDEEN POLICE AND IMPROVEMENT BILL.

Further Evidence in support of the Preamble.

Mr. *William Dyack*, recalled, and further examined.

Preamble postponed.

Clauses considered.

Parts I., II. and III., postponed.

Part IV. ("Police") considered.

Clauses 23—25, *disagreed to*.

On Clause 26 ("Offences under Public Parks Act, &c."):

Mr. *Thomas Wyness*, sworn, and examined.

Clause, *agreed to*.

Clause 27, *agreed to*.

Clause 28, amended, and *agreed to*.

Clause 29, *agreed to*.

On Clause 30 ("Regulation of Street Traffic"):

Mr. *Thomas Wyness*, recalled, and examined.

Clause, *disagreed to*.

Clause 31 ("Penalties for certain Police Offences"):

Mr. *Pembroke Stephens*, Q.C., was heard in support of the Clause.

Room cleared—The Committee deliberated.

Clause *disagreed to*.

Parties called in and informed thereof.

[Adjourned till To-morrow, at Twelve o'clock.

Friday, 4th May 1900.

MEMBERS PRESENT :

Lord EDMOND FITZMAURICE in the Chair.

Sir Henry Bemrose.

Mr. Reginald McKenna.

ABERDEEN POLICE AND IMPROVEMENT BILL—*continued*.

Clauses further considered.

Clauses 32 and 34, *agreed to*.

Clause 33, *disagreed to*.

New Clause 33, *agreed to*.

Clause 35, *disagreed to*.

Clauses 36 and 37, *agreed to*.

On Clause 38 (" Billiard Rooms to be licensed "):

Mr. *Thomas Wyness*, recalled, and examined.

Room cleared.—The Committee deliberated.

Clause *disagreed to*.

Parties called in and informed of this decision.

Clause 39, amended, and *agreed to*.

Clauses 40 and 41, *postponed*.

Clause 42, *agreed to*.

Clauses 43—51, *agreed to*.

On Clause 52 (" Deviation of Line of New Streets "):

Mr. *Pembroke Stephens*, Q.C., was heard to address the Committee in support of the Clause.

Mr. *J. D. FitzGerald*, Q.C., was heard on behalf of the owners in Aberdeen against the Clause.

Mr. *Acworth*, on behalf of the North of Scotland Railway Company, was heard against the Clause.

Room cleared.—The Committee deliberated.

Question, That the Clause be allowed subject to the insertion of an Amendment securing the right of appeal to the owners, put,—and *agreed to*.

Parties called in and informed thereof.

Clauses 53 and 55, *agreed to*.

Clause 54, *disagreed to*.

Clause 72 (to follow Clause 53).

On Sub-section 2 of Section 1 (" Width of Streets "):

Mr. *Pembroke Stephens*, Q.C., called evidence.

Mr. *William Dyack*, recalled, and examined.

Mr. *Shaw* called evidence in support of the Petition of the Great North of Scotland Railway Company.

Professor *Wilson*, who claimed to affirm, affirmed, and examined.

Mr. *FitzGerald*, Q.C., called evidence in support of the Petition of the Owners in Aberdeen.

Mr. *Alexander Williamson*, sworn, and examined.

Room

Room cleared.—The Committee deliberated.

Question, That the sub-section be allowed,—put, and *agreed to*.

Parties called in and informed of the decision of the Committee.

On Sub-section (iii), of Section 3 of the Clause:

Mr. *Pembroke Stephens*, Q.C., was heard to address the Committee, and called evidence.

Mr. *William Carter*, sworn, and examined.

[Adjourned till Tuesday, 8th May, at Twelve o'clock.]

Tuesday, 8th May 1900.

MEMBERS PRESENT:

Lord EDMOND FITZMAURICE in the Chair.

Mr. H. J. Wilson.

Mr. Reginald McKenna.

ILFRACOMBE IMPROVEMENT BILL.

Counsel:—Mr. *J. D. FitzGerald*, Q.C., and Mr. *C. C. Hutchinson*.

Agents:—Messrs. *Baker, Lees & Co.*

The Bill was unopposed.

ABERDEEN POLICE AND IMPROVEMENT BILL—*continued*.

Postponed Parts II. and III., *agreed to*.

Clauses further considered.

On Sub-section (iii), of Section 3 of Clause 72:

Mr. *William Carter* and Mr. *William Dyack*, recalled, and further examined.

Dr. *Matthew Hay*, sworn, and examined.

Mr. *J. D. FitzGerald*, Q.C., called evidence in support of the Petition of the Owners in Aberdeen against the proposals in the sub-section.

Mr. *W. Gordon Wilson*, sworn, and examined.

Mr. *FitzGerald*, Q.C., was heard to address the Committee in support of the above Petition.

This was the case for the Petition.

Mr. *Forbes Lankester* called evidence in support of the Petition of Alexander Pirie & Sons.

Mr. *Alexander Pirie*, sworn, and examined.

Room cleared.—The Committee deliberated.

Question, That Sub-sections 3 and 4, of Section 3 of Clause 72, be allowed,—put, and *agreed to*.

Parties called in and informed thereof.

Clause 72, as amended, *agreed to*.

Clauses 56 and 57, *postponed*.

[Adjourned till To-morrow, at Twelve o'clock.]

Wednesday, 9th May 1900.

MEMBERS PRESENT:

Lord EDMOND FITZMAURICE in the Chair.

Sir H. Bemrose.

Mr. Reginald McKenna.

Mr. H. J. Wilson.

Mr. Bill.

Mr. Heywood Johnstone.

ABERDEEN POLICE AND IMPROVEMENT BILL—*continued*.

On postponed Clause 56 ("Amendment of Acts of 1871 and 1881, regarding Line of Buildings") and postponed Clause 57—Clause 60 ("Line of Buildings"):

Mr. *W. Dyack*, recalled, and further examined.

Room

Room cleared.—The Committee deliberated.

Clauses 57—61, *disagreed to*.

Parties called in and informed of this decision.

On Clause 56, further considered :

Mr. *Acworth*, on behalf of the Great North of Scotland Railway, called evidence against the Clause.

Mr. *Alexander Mitchell Ross*, sworn and examined.

Room cleared,—The Committee deliberated.

Clause *disagreed to*.

Parties called in and informed of the decision of the Committee.

Clause 62 (" Position of New Buildings with reference to Streets ") :

Mr. *Pembroke Stephens* was heard in support of the Clause.

Mr. *Shaw* brought up and was heard in support of an Amendment to the Clause for the protection of the Owners in Aberdeen.

Room cleared.—The Committee deliberated.

Clause *disagreed to*.

Clauses 63—65, amended, and *agreed to*.

Clause 66 (" Open spaces in rear of dwelling-houses, &c. ") :

Mr. *Pembroke Stephens* was heard in support of the Clause.

Room cleared.—The Committee deliberated.

Clause 66, *disagreed to*.

Parties called in and informed of this decision.

Clauses 67 and 68, *disagreed to*.

New Clause 68, amended, and *agreed to*.

Clauses 70 and 71, amended, and *agreed to*.

Clause 73, *agreed to*.

Clauses 74—76, *disagreed to*.

Clauses 77—79, *agreed to*.

Clause 80, amended, and *agreed to*.

Clause 81, *agreed to*.

Clause 82 *disagreed to*.

New Clause 82, *agreed to*.

New Clause 82A, amended, and *agreed to*.

New Clauses 82B and 82C, *agreed to*.

Clause 83, *agreed to*.

Clause 84, amended, and *agreed to*.

Clauses 85 and 86, *agreed to*.

Schedule 1, *agreed to*.

Schedule 2 *disagreed to*.

Schedule 3, *agreed to*.

New Clauses, amended, and *agreed to*.

Postponed Clauses 1—6, *agreed to*.

Postponed Clauses 40 and 41, amended, and *agreed to*.

Preamble read a second time, and amended.

Question, That the Preamble, as amended, is proved,—put, and *agreed to*.

[Adjourned till To-morrow, at Twelve o'clock.]

Thursday, 10th May 1900.

MEMBERS PRESENT:

Lord EDMOND FITZMAURICE in the Chair.

Mr. Heywood Johnstone.
Mr. H. J. Wilson.
Sir Henry Bemrose.

Mr. Reginald McKenna.
Mr. Bill.

ILFRACOMBE IMPROVEMENT BILL.

Preamble read the first time.

Reports from the Local Government Board and the Home Office were read

Mr. *J. D. FitzGerald*, Q.C., was heard in support of the Preamble, and called evidence.

Mr. *George R. Strachan*, sworn, and examined.

Preamble, *postponed*.

Part I. *postponed*.

Clauses 7—18, *agreed to*.

New Clause 18A, *agreed to*.

Clause 19, amended, and *agreed to*.

Clauses 20—23, *agreed to*.

Clause 24, *disagreed to*.

Clause 25, amended, and *agreed to*.

Clause 26, *agreed to*.

New Clause 26A, amended, and *agreed to*.

Clause 27, *agreed to*.

On Clause 28 ("Supply of water for other than domestic purposes by measure"):

Mr. *George R. Strachan*, recalled, and further examined.

Room cleared.—The Committee deliberated.

Question, That in cases where water is supplied to premises used for trade and domestic purposes, the maximum charge shall be one shilling per 1,000 gallons, and that the minimum charge of eight shillings be struck out,—put, and *agreed to*.

Parties called in and informed of the decision of the Committee.

Clauses 29—32 *agreed to*.

Clause 33 amended, and *agreed to*.

Clauses 34 and 35, *agreed to*.

Clause 36, *disagreed to*.

Clause 37, amended, and *agreed to*.

Clause 38, *disagreed to*.

New Clauses 38 and 38A, *agreed to*.

Clause 39 ("Power to Council to pay any loss sustained by Postmaster General"):

Mr. *George R. Strachan*, recalled, and examined.

Clause, *agreed to*.

On Clause 40 ("Council may erect reading, refreshment rooms, etc"):

Mr. *Oswald M. Prouse*, sworn, and examined.

Clause, *agreed to*.

Clauses 41—44, *agreed to*.

Clause 45, as amended, *agreed to*.

Clauses 46 and 47, *agreed to*.

Clause

Clause 48, amended, and *agreed to*.

Clauses 49—55, *agreed to*.

Clause 56 *disagreed to*.

Clauses 57—65, *agreed to*.

Clause 66 (" Medical Officer may visit persons suffering from infectious disease"), *disagreed to*.

Clause 67, *agreed to*.

Clause 68, *agreed to*.

Clause 69, *agreed to*.

Clause 70, *postponed*.

Clauses 71—76, *agreed to*.

Clauses 77 and 78, amended, and *agreed to*.

Clauses 79 and 80, *agreed to*.

Clauses 81 and 82, amended, and *agreed to*.

Clauses 83 and 85, *agreed to*.

Clauses 84, 86—88, *disagreed to*.

Clause 89, *agreed to*.

Clause 90, *disagreed to*.

New Clause substituted therefor.

Clauses 91—93, *agreed to*.

Clauses 94 and 95, *disagreed to*.

Clauses 96 and 97, *disagreed to*.

Clauses 98—100, *agreed to*.

ABERDEEN POLICE AND IMPROVEMENT BILL.

Further consideration postponed till Friday.

[Adjourned till Friday, at Twelve o'clock.

Friday, 11th May 1900.

MEMBERS PRESENT:

Lord EDMOND FITZMAURICE in the Chair.

Mr. H. J. Wilson.
Mr. McKenna.

Sir. H. Bemrose.
Mr. Bill.

FARNWORTH URBAN DISTRICT COUNCIL BILL.

Counsel:—Mr. *Roe Rycroft*.

Agents:—Messrs. *Dyson & Co.*

The Bill was unopposed.

ABERDEEN POLICE AND IMPROVEMENT BILL.

Report read, and *agreed to*.

Ordered, to Report.

ILFRACOMBE IMPROVEMENT BILL—*continued*.

Clauses further considered.

Part X.:

Clauses 101 and 102, *agreed to*.

Clause 103, amended, and *agreed to*.

Clause 104, *agreed to*.

Clause

Clauses 105 and 106, amended, and *agreed to*.

Clause 107, *agreed to*.

Clause 108, amended, and *agreed to*.

Clause 109, *postponed*.

Clauses 110—114, *agreed to*.

Clause 115, amended, and *agreed to*.

Clause 116, *agreed to*.

Clause 117, amended, and *agreed to*.

Clauses 118—133, *agreed to*.

Clause 134, amended, and *agreed to*.

Clauses 135 and 136, *agreed to*.

Schedule amended, and *agreed to*.

New Clause 18A, *agreed to*.

Postponed Clauses 70 and 109, amended, and *agreed to*.

Postponed Clauses 1—3, *agreed to*.

Clause 4, amended.

Clause 5, *disagreed to*.

Preamble read a second time.

Question, That the Preamble is proved,—put, and *agreed to*.

Parties informed of the decision.

Report read, and *agreed to*.

Ordered, to Report.

Committee of Selection:—Mr. Leuty is discharged. The following Members are added to the Committee:—Mr. Wason, Mr. Runciman, Mr. Graham.

The Committee is divided as follows:—

Section A.—Sir Henry Bemrose, Lord Edmond Fitzmaurice, Mr. Runciman, Mr. H. J. Wilson, Mr. J. W. Wilson, Mr. Wylie.

Bills to be considered:—Ilfracombe Improvement, Farnworth Urban District Council, Lancaster Corporation, Rochdale Corporation, Croydon Tramways and Improvements, Tottenham Urban District Council, Hastings Corporation, Preston Corporation [Lords], Salford Corporation [Lords], Sheffield Corporation [Lords].

Section B.—Mr. Bill, Mr. Graham, Mr. Heywood Johnstone, Mr. McKenna, Mr. Wason.

Bills to be considered:—Halifax Corporation, West Bromwich Corporation, Oldham Corporation, West Ham Corporation, Scarborough Corporation, Taunton Corporation, Coventry Corporation, Southport Corporation.

SECTION A.

Wednesday, 16th May 1900.

MEMBERS PRESENT:

Lord Edmond Fitzmaurice.
Mr. Runciman.

Mr. H. J. Wilson.
Mr. J. W. Wilson.

Lord EDMOND FITZMAURICE was called to the Chair.

The Committee decided to sit on Tuesdays, Wednesdays, and Fridays.

Preamble read the first time.

Reports from the Local Government Board and the Home Office were read.

Mr. *Boyce* and Mr. *Troup*, C.B., appeared in support of the above respectively.

Mr. *Rycroft* was heard in support of the Preamble, and called evidence.

Mr. *Walter John Lomax*, Mr. *George Tynsley*, Mr. *Arthur Molyneux Sillar*, and Mr. *William Boyes Richardson*, sworn, and examined.

Preamble, *postponed*.

Clauses considered.

Clauses 1—5, *postponed*.

Clauses 6 and 7, amended and *agreed to*.

Clauses 8—12, *agreed to*.

Clause 13, amended, and *agreed to*.

Clauses 14—18, *agreed to*.

Clauses 19—22, amended, and *agreed to*

Clause 23, *agreed to*.

Clauses 24—27, amended and *agreed to*.

Clauses 28 and 29, *agreed to*.

Clause 30, *postponed*.

Clauses 31—36, *agreed to*.

Clause 37, *disagreed to*.

Clauses 38 and 39, *agreed to*.

Clause 40, *struck out*.

New Clause 40, *disagreed to*.

On Clause 41 ("Intersecting Streets"):

Mr. *Walter J. Lomax*, recalled, and examined.

Clause, *disallowed*.

Clauses 42—44, amended, and *agreed to*.

Clause 45, *disagreed to*.

Clause 46, amended, and *agreed to*.

Clauses 47 and 48, *agreed to*.

On Clause 49 ("Damage to streets by traction engines")

Mr. *Walter J. Lomax* recalled, and examined.

Clause, *disagreed to*.

Clauses 50 and 51, amended, and *agreed to*.

Clause 52, *disagreed to*.

Clause 53, *agreed to*.

Clause 54, amended, and *agreed to*.

Clauses 55—59, *disagreed to*.

Clause 60, *agreed to*.

Clause 61, amended, and *agreed to*.

Clauses 62—71, *disagreed to*.

Parts VII. and VIII., *disagreed to*.

Part IX. ("Finance"):

Clause 77, *postponed*.

Clause 78, *agreed to*.

Clause 79, *postponed*.

Clause 80, amended, and *agreed to*.

Clauses 81—85, *agreed to*.

Clauses 86 and 87, *disagreed to*.

Clause 88, *agreed to*.

Part X. ("Miscellaneous"), *agreed to*.

Postponed Clauses 1—5, *agreed to*.

Preamble read a second time, and amended.

Question, That the Preamble, as amended, is proved,—put, and *agreed to*.

Parties informed of the decision of the Committee.

Postponed Clauses 30 and 71, amended, and *agreed to*.

[Adjourned till Friday, at Twelve o'clock.

Friday, 18th May 1900.

MEMBERS PRESENT:

Lord EDMOND FITZMAURICE in the Chair.

Sir H. Bemrose.
Mr. H. J. Wilson.

Mr. J. W. Wilson.

LANCASTER CORPORATION BILL.

Counsel:—Mr. *Balfour Browne*, Q.C., Mr. *Gerald FitzGerald*, and Mr. *Saunderson*.

Agents:—Messrs. *Hargreaves & Co*.

The following Petitions against the Bill were read:—

LONDON AND NORTH-WESTERN RAILWAY COMPANY.

Counsel:—Mr. *Pope*, Q.C., Mr. *Littler*, Q.C., and Mr. *Page*, Q.C.

Agents:—Mr. *C. H. Mason*.

LANCASHIRE ASYLUMS BOARD.

Counsel:—Mr. *H. A. Rigg*.

Agents:—Messrs. *Sherwood & Co*.

FARNWORTH URBAN DISTRICT COUNCIL BILL.

Further consideration postponed till Tuesday.

LANCASTER CORPORATION BILL.

Preamble read the first time.

Reports from the Home Office, the Local Government Board, and the Board of Trade were read.

Mr. *Boyce* and Mr. *Troup*, C.B., appeared in support of the Reports from the Local Government Board and the Home Office respectively.

Mr. *Balfour Browne*, Q.C., was heard in support of the Preamble, and called evidence.

Mr. *Robert Preston*, Mr. *Thomas C. Hughes*, and Mr. *John Cook*, sworn, and examined.

This was the case for the Promoters.

Mr. *Rigg* called evidence in support of the Petition of Lancashire Asylums Board.

Doctor *Cassidy* and Mr. *R. C. Quinn*, sworn, and examined.

Preamble *postponed*.

Clauses considered.

Clauses 1—6, *postponed*.

Clauses 7—13, *postponed*.

0.32.

Clauses 14—26, *agreed to*.
 Clauses 27—30, *agreed to*.
 Clauses 31—33, *disagreed to*.
 Clauses 34 and 35, *agreed to*.
 Clause 36, *disagreed to*.
 Clauses 37—42, amended, and *agreed to*.
 Clauses 43—47, *agreed to*.
 Clause 48, *disagreed to*.
 Clauses 49 and 50, amended, and *agreed to*.
 Clause 51, *agreed to*.

Part III. ("Street Improvements"):

Clause 52, amended, and *agreed to*.
 Clauses 53 and 54, *disagreed to*.
 Clauses 55—67, *agreed to*.
 Clause 68, amended, and *agreed to*.
 Clauses 69—71, *agreed to*.
 Clause 72 amended, and *agreed to*.
 Clauses 73 and 74, *agreed to*.

Part V. ("Lancaster Marsh"),* *disagreed to*.

Part VI. ("Lancaster Tithe"):

Clauses 90 and 91, considered.

* But see Minutes of Evidence of Friday, 25th May.

[Adjourned till Tuesday next, at Twelve o'clock.

Tuesday, 22nd May 1900.

MEMBERS PRESENT:

Lord EDMOND FITZMAURICE in the Chair.

Mr. H. J. Wilson.
 Sir Henry Bemrose.

Mr. J. W. Wilson.

LANCASTER CORPORATION BILL—*continued*.

Clauses further considered.

On Part VI. ("Lancaster Tithe"):

Mr. William Clough, Rev. William Bonsey, and Mr. William Bell, sworn, and examined.

Clauses 90 and 91, amended, and *agreed to*.

Part VII. ("Markets"):

Clauses 92—94, amended, and *agreed to*.
 Clause 95, *disagreed to*.

Part VIII. ("Police"), *disagreed to*.

Part IX. ("Sanitary"):

Clause 112, amended, and *agreed to*.
 Clauses 113 and 114, *disagreed to*.
 Clause 115, amended, and *agreed to*.
 Clauses 116 and 117, *disagreed to*.

Clauses 118 and 119, amended, and *agreed to*.

On Clause 120 ("Power to close Sunday schools in certain cases"):

Doctor *Parker*, sworn, and examined.

Clause *postponed*.

On Clause 121 ("Power to inspect meat outside the Borough"):

Doctor *Parker*, further examined.

Clause *disagreed to*.

Clause 122, *withdrawn*.

Clauses 123 and 124, *agreed to*.

Clause 125 ("Annual registration of common lodging houses,") *disagreed to*.

... Clauses 126—128, amended, and *agreed to*.

Part X. ("Streets and Buildings"):

Clauses 129—131, *agreed to*.

Clauses 132, amended, and *agreed to*.

Clause 133, *disagreed to*.

Clauses 134 and 135, amended, and *agreed to*.

Clause 136, *disagreed to*.

Clause 137, amended, and *agreed to*.

Clauses 138—143, *withdrawn*.

Clause 144 amended, and *agreed to*.

Clauses 145 and 146, *disagreed to*.

New Clause 146, *agreed to*.

Clause 147 amended, and *agreed to*.

[Adjourned till To-morrow, at Twelve o'clock.]

Wednesday, 23rd May 1900.

MEMBERS PRESENT:

Lord EDMOND FITZMAURICE in the Chair.

Mr. H. J. Wilson.
Sir H. Bemrose.

Mr. J. W. Wilson.

ROCHDALE CORPORATION BILL.

Counsel:—Mr. *Harper*.

Agents:—Messrs. *Dyson & Co.*

The following Petition against the Bill was read:—

WARDLE URBAN DISTRICT COUNCIL.

Counsel:—Mr. *Wedderburn*, Q.C.

Agent:—Messrs. *Baker, Lees & Co.*

FARNWORTH URBAN DISTRICT COUNCIL BILL

New Clauses brought up, and *agreed to*.

Report read, and *agreed to*.

Ordered, To Report.

LANCASTER CORPORATION BILL—*continued.*

Part XI. ("Financial"):

Mr. *William Clough*, recalled, and examined.

Clause 148, amended, and *agreed to*.

Clauses 149—151, *agreed to*.

Clause 152, amended, and *agreed to*.

Clause 153, *disagreed to*.

Clause 154, amended, and *agreed to*.

Clause 155, *agreed to*.

Clause 156, amended, and *agreed to*.

[Adjourned till Friday, at Twelve o'clock.]

Friday, 25th May 1900.

MEMBERS PRESENT:

Lord EDMOND FITZMAURICE in the Chair.

Mr. H. J. Wilson.
Sir H. Bemrose.

Mr. Runciman.
Mr. J. W. Wilson.

LANCASTER CORPORATION BILL—*continued.*

The Committee heard an application by Mr. *G. A. R. FitzGerald* on behalf of the Promoters for permission to re-open that part of the Bill which related to the Lancaster Marsh.

The Committee deliberated.

The Committee decided to re-hear that part of the Bill, and to take the advice of representatives of the Charity Commissioners and the Board of Agriculture on the subject.

Mr. *R. Durnford*, representing the Charity Commission, and Mr. *F. A. Jones*, representing the Board of Agriculture, accordingly appeared.

Mr. *Durnford* addressed the Committee on behalf of the Charity Commissioners.

Mr. *G. A. R. FitzGerald* was heard on behalf of the Promoters in support of that part of the Preamble which related to the Lancaster Marsh.

Room cleared.—The Committee deliberated.

Question, That the Promoters be allowed to proceed with the Clauses relative to the Lancaster Marsh,—put, and *agreed to*.

Parties called in, and informed thereof.

On Part V. ("Lancaster Marsh"):

Mr. *Thomas P. Greene*, Mr. *William Smith*, and Mr. *Richard Nicholson*, sworn, and examined.

Mr. *T. Caun Hughes* and Mr. *Robert Preston*, recalled, and examined.

Clauses considered.

Clause 75, *disagreed to*.

New Clause 75A, *agreed to*.

Clause 76, *disagreed to*.

Clause 77, amended, and *agreed to*.

Clause 78, *disagreed to*.

Clause 79, amended, and *agreed to*.

Clauses 80, 82, and 83, *agreed to*.

Clause 81, *disagreed to*.

Clauses 84 and 85, amended, and *agreed to*.

Clause 86, *disagreed to*.

Clause 87, *agreed to*.

Clause

Clause 88, *disagreed to*.
 Clause 89, amended, and *agreed to*.
 Clause 157, amended, and *agreed to*.
 Clauses 158—163, amended, and *agreed to*.
 Clauses 164—166, *agreed to*.
 Clause 167, *disagreed to*.
 Clause 168, *agreed to*.
 Clause 169, amended, and *agreed to*.
 Clauses 170 and 171, *agreed to*.
 Clause 172, amended, and *agreed to*.
 Clauses 173—178 *agreed to*.
 New Clauses considered, and *agreed to*.
 Postponed Clause 120, *disagreed to*.
 Preamble read a second time.
 Question, That the Preamble is proved,—put, and *agreed to*.
 Postponed Clauses 1—6, *agreed to*.
 Postponed Clauses 7—13, *disagreed to*.
 Parties informed of this decision.
 Report read, and *agreed to*.
 Ordered, To Report.

[Adjourned till Thursday, 14th June, at Twelve o'clock.]

Thursday, 14th June 1900.

MEMBERS PRESENT:

Lord EDMOND FITZMAURICE in the Chair.

Sir Henry Bemrose.
Mr. Runciman.

Mr. H. J. Wilson.

ROCHDALE CORPORATION BILL.

Preamble read the first time.

A Report from the Local Government Board was read.

Mr. *Boyce* appeared in support of the above Report.

Mr. *Harper* was heard in support of the Preamble, and called evidence.

Mr. *James Leach*, Mr. *Samuel S. Platt*, Mr. *Joseph Kincaid*, Mr. *William Cunliffe*, Mr. *Thomas H. Spawforth*, Mr. *John Hume*, Mr. *Frank Hilton*, and Mr. *William Law*, sworn, and examined.

Mr. *Samuel S. Platt*, recalled, and further examined as to the proposed widening of Church Stile and Oldham Road in Clause 47.

Preamble *postponed*.

Part I., *postponed*.

Clauses considered.

Parts II.—XI., *postponed*.

On Part XII. ("Finance"):

Mr. *S. Boothman*, Mr. *Henry Fishwick*, and Mr. *Henry Tomlinson*, sworn, and examined.

Mr. *Samuel S. Platt*, recalled, and further examined.

Part XII., *postponed*.

Mr. *Joseph Henry*, M.D., sworn, and examined in reference to postponed Parts VII. ("Milk Supply"), VIII. ("Ice Creams"), and IX. ("Sanitary and Building Provisions").

[Adjourned till To-morrow, at Twelve o'clock.]

Friday, 15th June 1900.

MEMBERS PRESENT:

Lord EDMOND FITZMAURICE in the Chair.

Mr. H. J. Wilson.
Mr. J. W. Wilson.

Sir Henry Bemrose.
Mr. Runciman.

ROCHDALE CORPORATION BILL—*continued.*

Clauses further considered.

Postponed Part II. ("Tramways"):

Clauses 6 and 7, amended, and *agreed to.*

Clauses 8—13, *agreed to.*

Clause 14, amended, and *agreed to.*

Clauses 15—23, *agreed to.*

New Clause 23A, *agreed to.*

Clauses 24 and 25, *agreed to.*

Clause 26, amended, and *agreed to.*

Clause 27, *disagreed to.*

New Clause 27A, *agreed to.*

Clause 28, amended, and *agreed to.*

Clauses 29 and 30, *agreed to.*

Clause 31, *postponed.*

Clauses 32—34, *agreed to.*

Clause 35, amended, and *agreed to.*

Clauses 36—38, *agreed to.*

Postponed Clause 31, *agreed to.*

Clause 39, *withdrawn.*

New Clause 39A, amended, and *agreed to.*

Clauses 40—45, 45a—45d, *agreed to.*

Clause 46, *agreed to.*

Postponed Part III. ("Street Works"):

Clause 47, *agreed to.*

Clauses 48 and 49, amended, and *agreed to.*

Clauses 50—52, *agreed to.*

Postponed Part IV. ("General Provisions common to Tramways and Street Works"):

Clauses 53—55, *agreed to.*

Postponed Part V. ("Lands"):

Clauses 56 and 57, *agreed to.*

Clause 58, amended, and *agreed to.*

Clauses 59—63, *agreed to.*

New Clause 63A, *agreed to.*

Clause 64, amended, and *agreed to.*

Clauses 65—67, *agreed to.*

Postponed Part VI. ("Cold Air Stores"):

On Clause 68:

Mr. William Hardman, sworn, and examined.

Room

Room cleared.—The Committee deliberated, and decided that the sale of ice proposed in Clause 68 be not authorised. That in the event of the Corporation establishing any slaughter house they may make and erect all necessary works for cold air storage. And in case of the Corporation becoming the market authority they may make and erect works for purposes of storage in connection with other marketable commodities besides meat.

Parties called in and informed of this decision.

Clause 68, *postponed*.

Postponed Part VII. (" Milk Supply "):

Clause 69, *agreed to*.

Clause 70, amended, and *agreed to*.

Clauses 71—75, *agreed to*.

Clauses 76 and 78, amended, and *agreed to*.

Clauses 77, 79, and 80, *agreed to*.

Postponed Part VIII. (" Ice Creams "):

Clauses 81 and 81A, *agreed to*.

Postponed Part IX. (" Sanitary and Building "):

Clause 82, *agreed to*.

Clause 83, amended, and *agreed to*.

Clause 84, *postponed*.

Clauses 85 and 86, *agreed to*.

Clauses 87—90, *withdrawn*,

New Clauses 90A, 90B, and 90C, *agreed to*.

Clause 91, amended, and *agreed to*.

Clause 92, *disagreed to*.

Clause 93, *agreed to*.

New Clause 93A, *agreed to*.

Postponed Part X. (" Electrical Energy "):

Clause 94 and 95, amended, and *agreed to*.

Clause 96, *agreed to*.

Postponed Part XI. (" Advertisements, Hoardings, &c. "):

Clauses 97 and 98, *agreed to*.

Postponed Part XII. (" Finance and Rates "):

Clause 99, amended, and *agreed to*.

Clause 100, *postponed*.

Clause 101, amended, and *agreed to*.

New Clauses 101A and 101B, *agreed to*.

Clause 102, amended, and *agreed to*.

New Clause 102A, *disagreed to*.

Clause 103, *disagreed to*.

Clauses 104—106, *agreed to*.

Part XIII. (" Police and Miscellaneous "):

Clause 107, *agreed to*.

Clause 108, *disagreed to*.

Clause 109, amended, and *agreed to*.

Clauses 110—122, *agreed to*.

Other new Clauses, considered, and *agreed to*.

First and Second Schedules, amended, and *agreed to*.

Third Schedule, *agreed to*.

Fourth Schedule, *agreed to*.

Preamble read a second time.

Question, That the Preamble is proved,—put, and *agreed to*.

Postponed Part I. ("Preliminary"):

Clauses 1—5, *agreed to*.

[Adjourned till Tuesday, at Twelve o'clock.

Tuesday, 19th June 1900.

MEMBERS PRESENT:

Lord EDMOND FITZMAURICE in the Chair.

Mr. H. J. Wilson.
Mr. Runciman.

Mr. J. W. Wilson.

CROYDON TRAMWAYS AND IMPROVEMENTS BILL.

Counsel: Mr. *Balfour Browne*, q.c., Mr. *G. A. R. FitzGerald*, Mr. *R. G. Glen*.

Agents: Messrs. *Wyatt & Co*.

The following Petitions against the Bill were read:

OWNERS OF HOUSES AND PREMISES IN CROYDON.

Counsel: Mr. *F. N. Keen*.

Agents: Messrs. *Baker & Co*.

PROPRIETORS OF THE LAMBETH WATERWORKS.

Counsel: Mr. *Claude Baggallay*, q.c., Mr. *H. A. Rigg*.

Agents: Messrs. *Bell & Co*.

Reports from the Local Government Board and the Home Office were read.

ROCHDALE CORPORATION BILL.

New clauses considered, amended, and *agreed to*.

A Report from the Board of Trade in reference to Clause 35 of the Bill was read.

Postponed Clauses, amended, and *agreed to*.

On new Clause 102A ("As to Rating of Railways"):

Mr. *Harper* addressed the Committee in support of the Clause.

Room cleared.—The Committee deliberated.

Question, That the Clause be agreed to,—put, and *negatived*.

Parties called in and informed of the decision of the Committee.

Report postponed till To-morrow.

CROYDON TRAMWAYS AND IMPROVEMENTS BILL.

Preamble read the first time.

Mr. *Balfour Browne*, q.c., was heard in support of the Preamble, and called evidence.

Sir *Frederick Edderidge*, Mr. *Edward Monkhouse*, Mr. *Stephen Sellon*, and Mr. *Thomas H. Maishaw*, sworn, and examined.

[Adjourned till To-morrow, at Half-past Eleven o'clock.

Wednesday, 20th June 1900.

MEMBERS PRESENT:

Lord EDMOND FITZMAURICE in the Chair.

Mr. J. W. Wilson.
Sir Henry Bemrose.

Mr. H. J. Wilson.
Mr. Runciman.

CROYDON TRAMWAYS AND IMPROVEMENTS BILL—*continued*.

Mr. F. N. Keen called evidence in support of the Petition of the Owners of Houses, &c., in Croydon.

Mr. James Allen, sworn, and examined.

Mr. F. N. Keen addressed the Committee in support of the above Petition.

Mr. G. A. R. FitzGerald was heard in support of so much of the Preamble as referred to the Tramways Undertaking.

Room cleared.—The Committee deliberated.

Preamble read a second time.

Question, That so much of the Preamble as refers to the Tramways Undertaking is proved,—put, and *agreed to*.

Parties were called in and informed of the Committee's decision.

Mr. Baggallay, Q.C., called evidence in support of the Petition of the Proprietors of the Lambeth Waterworks.

Mr. James Swinburne, sworn, and examined.

Mr. Baggallay, Q.C., was heard in support of the above Petition.

Question, "That so much of the Preamble as relates to this part of the Bill is proved,—put and *agreed to*.

Parties were informed of this decision.

Remainder of the Preamble, *postponed*.

Part I., *postponed*.

Clauses considered.

Part II. ("Tramways"):

Clauses 7—13, *agreed to*.

Clause 14, amended, and *agreed to*.

Clause 15, *agreed to*.

New Clause 15A, *agreed to*.

Clauses 16—18, *agreed to*.

Clause 19 ("Lands for Waiting Rooms"), *postponed*.

Clauses 20—24, *agreed to*.

Clause 25, amended, and *agreed to*.

Clause 26, *agreed to*.

Clause 27, *withdrawn*.

New Clause 27A, *agreed to*.

Clauses 28—38, *agreed to*.

Clause 39 ("Cheap fares for labouring classes"), *disagreed to*.

New Clause 39A, *agreed to*.

Clause 40, *agreed to*.

Clause 41, *agreed to*.

Clause 42, *disagreed to*.

Clause 43, *agreed to*.

Clause 44, *disagreed to*.

New Clause 44A, *agreed to*.

Clauses 45 and 46, *agreed to*.

Part III. ("Streets and Buildings"):

Clause 47, *agreed to*.

Clause 48, amended, and *agreed to*.

Clauses 49 and 50, *agreed to*.

Clauses 51—53, amended, and *agreed to*.

Clause 54—56, *agreed to*.

Clause 57, amended, and *agreed to*.

Clause 58, *agreed to*.

Clauses 59 and 60, amended, and *agreed to*.

Clause 61, *postponed*.

Clauses 62 and 63, *agreed to*.

Part IV. ("Lands"):

Clauses 64—68, *agreed to*.

Clause 69 ("Power to retain, sell, &c., lands"), *postponed*.

ROCHDALE CORPORATION BILL—*continued*.

New Clauses brought up, and *agreed to*.

Report read, and *agreed to*.

Ordered, To Report.

[Adjourned till Friday next, at Half-past Eleven o'clock.]

Friday, 22nd June 1900.

MEMBERS PRESENT:

Lord EDMOND FITZMAURICE in the Chair.

Mr. H. J. Wilson.
Mr. Runciman.

Mr. J. W. Wilson.

HASTINGS CORPORATION BILL.

Counsel:—Mr. G. A. R. FitzGerald, q.c., and Mr. Courthope Munroe.

Agents:—Messrs. W. and W. M. Bell.

CROYDON TRAMWAYS AND IMPROVEMENT BILL—*continued*.

Clauses further considered.

Clauses 70 and 71, amended, and *agreed to*.

Clauses 72—76, *agreed to*.

Clause 77 amended, and *agreed to*.

On Clause 78 ("Penalty on original vendor of unsound food"):

Mr. Ernest Mawdesley, sworn, and examined.

Clause, *postponed*.

Clauses 79 and 80, *agreed to*.

On Clause 81 ("Power to establish Crematorium"):

Mr. Ernest Mawdesley, re-called, and examined.

Clause, *agreed to*.

Part VI. ("Provisions as to Milk Supply"):

Clauses 82—94, *agreed to*.

Part VII. ("Financial"):

Clause 95 ("Power to borrow"):

Mr. *Thomas Walker*, sworn, and examined.

Clauses amended, and *agreed to*.

Clause 96, *agreed to*.

Clauses 97 and 98, amended, and *agreed to*.

Clause 99 ("Power to issue new class of Stock"):

Mr. *William Gunner*, sworn, and examined.

Mr. *Ernest Mawdesley*, re-called, and examined.

Clause amended, and *agreed to*.

Clause 100 ("Power to redeem existing irredeemable Stock"):

Mr. *William Gunner* and Mr. *Frederick Fox*, further examined.

Clause *disagreed to*. The Committee announced that while agreeing with the principle involved, there had not been sufficient evidence in their opinion to justify their sanction to the Clause in this particular instance.

Clause 101, *disagreed to*.

Clause 102, *postponed*.

Clause 103, amended, and *agreed to*.

Clause 104, *disagreed to*.

Clause 105, *agreed to*.

Part VIII. ("Miscellaneous"):

Clause 106, *disagreed to*.

Clauses 107 and 108, *disagreed to*.

Clause 109, amended, and *agreed to*.

Clause 110 ("One demand note for all Corporation rates"):

Mr. *Ernest Mawdesley*, re-called, and examined.

Clause *agreed to*.

Clause 111 ("As to office of Vestry Clerk"):

Mr. *Ernest Mawdesley*, further examined.

Clause, *agreed to*.

Clause 112, *agreed to*.

Clause 113, amended, and *agreed to*.

Clause 114 ("No person to have the care of more than one cart"):

Mr. *Ernest Mawdesley*, further examined.

Clause amended, and *agreed to*.

Clauses 115, 116, 116A, 116B, and 117, *agreed to*.

Question, That the remainder of the Preamble is proved,—put, and *agreed to*.

Parties informed of the decision of the Committee.

New Clauses considered, amended, and *agreed to*.

Postponed Clause 19, amended, and *agreed to*.

[Adjourned till Tuesday next, at Twelve o'clock.]

Tuesday, 26th June 1900.

MEMBERS PRESENT :

Lord EDMOND FITZMAURICE in the Chair.

Mr. H. J. Wilson.
Mr. J. W. Wilson.

Mr. Runciman.

CROYDON TRAMWAYS AND IMPROVEMENTS BILL—*continued.*

New Clauses considered, and *agreed to.*

Postponed Clauses 61 and 69, amended, and *agreed to.*

Postponed Clause 78 ("Penalty on original vendor of unsound food.")

Clause amended, and *agreed to.*

Postponed Clause 102, *disagreed to.*

New Clauses, *agreed to.*

Report read, and *agreed to.*

Ordered, to Report.

HASTINGS CORPORATION BILL.

Preamble read the first time.

Reports from the Home Office and the Local Government Board were read.

Mr. Troup, C.B., and Mr. Boyce appeared in support of the above respectively.

Mr. G. A. R. FitzGerald was heard in support of the Preamble, and called evidence.

Mr. Benjamin Meadows and Mr. Philip H. Palmer, sworn, and examined.

Preamble, *postponed.*

Part I. ("Preliminary"), *postponed.*

On Part II. ("Sanitary") :

Dr. Scarlyn Wilson, sworn, and examined.

Clauses 7—9, *agreed to.*

Clause 10, *postponed.*

Clauses 11 and 12, amended, and *agreed to.*

On Clause 13 :

Mr. Benjamin Meadows and Mr. Philip Palmer, recalled, and examined.

Clause, *agreed to.*

Clauses 14 and 15, *disagreed to.*

Clauses 16—18, *agreed to.*

Clause 19, *disagreed to.*

Clause 20, amended, and *agreed to.*

Clauses 21 and 22, *disagreed to.*

Clause 23, *agreed to.*

Clauses 24—26, *disagreed to.*

Clause 27, *agreed to.*

Clauses 28 and 29, *disagreed to.*

Part III. ("Infectious Diseases"), *postponed.*

Part IV. ("Common Lodging-houses") :

Clauses 44 and 45, *agreed to.*

Clause 46, amended, and *agreed to*.

Clauses 47 and 48, *agreed to*.

Clause 49, *withdrawn*.

Part V. ("Water"):

Clause 50 ("Reservation of water rights on sale of lands")

Mr. *Benjamin Meadows*, recalled, and examined.

Clause, *agreed to*.

Clauses 51 and 52, amended, and *agreed to*.

Clause 53, *withdrawn*.

Clauses 54 and 55, amended, and *agreed to*.

Clause 56, *withdrawn*.

Clauses 57 and 58, *agreed to*.

On Clause 59:

Mr. *Benjamin Meadows*, recalled, and examined.

Clause *agreed to*.

Clause 60, *withdrawn*.

Clause 61, amended, and *agreed to*.

On Clause 62:

Mr. *Philip H. Palmer*, recalled, and examined.

Clause, *agreed to*.

Clause 63, *agreed to*.

Clause 64, *withdrawn*.

[Adjourned till To-morrow, at Half past Eleven o'clock

Wednesday, 27th June 1900.

MEMBERS PRESENT:

Lord EDMOND FITZMAURICE in the Chair.

Mr. H. J. Wilson.
Mr. J. W. Wilson.

Mr. Runciman.
Sir Henry Bemrose.

HASTINGS CORPORATION BILL—*continued*.

Clauses further considered.

On postponed Part III., ("Infectious Diseases"):

On Clause 30:

Doctor *Scarlyn Wilson*, recalled, and examined.

Clause, *disagreed to*.

Clauses 31 and 32, *agreed to*.

Clause 33, amended, and *agreed to*.

Clauses 34—39, *agreed to*.

Clause 40, *disagreed to*.

Clauses 41—43, *agreed to*.

Part VI. ("Streets, Buildings, &c."):

Clause 65 ("Prohibition of Sky Signs"):

Dr.

Dr. *G. Gray*, sworn, and examined.

Clause, *agreed to*.

Clause 66 ("Temporary and moveable buildings"), *agreed to*.

Mr. *Philip H. Palmer*, recalled, and examined.

Clauses 67 and 68, amended, and *agreed to*.

Clause 69, *disagreed to*.

Clauses 70 and 71, *agreed to*.

Part IV. ("Street Traffic"):

Clause 72, *agreed to*.

Clauses 73—75, amended, and *agreed to*.

Clauses 76 and 77, *withdrawn*.

On Clause 78 ("Power to make Bye-laws, &c."):

Dr. *George Gray*, recalled, and examined.

Clause, *postponed*.

Clauses 79—84, *disagreed to*.

Part VII.—("Esplanades and Foreshore"):

Clause 85, *postponed*.

Clause 86, amended, and *agreed to*.

Clause 87, *agreed to*.

On Clause 88 ("Repeal of proviso to Section 61 of Hastings Paving Act, 1832")

Dr. *George Gray*, recalled, and examined.

Clause amended, and *agreed to*.

Clause 89, *disagreed to*.

Clauses 90 and 91, *postponed*.

Clause 92, *agreed to*.

Part VIII. ("Recreation Grounds"):

Clause 93 ("Power to erect, &c., Refreshment Rooms, &c."):

Mr. *Frederick Tuppenny* and Mr. *Charles Tharle*, sworn, and examined.

Clause amended, and *agreed to*.

Clause 94, amended, and *agreed to*.

Clause 95, *agreed to*.

Clause 96, *withdrawn*.

Clause 97 ("Power to allow Cycling on the Esplanade"):

Dr. *G. Gray* and Mr. *Frederick Tuppenny*, recalled, and examined.

Clause 97, amended and *agreed to*.

Clause 98 ("Power to provide Bands, &c."):

Dr. *George Gray*, recalled, and examined.

Clause, *postponed*.

New Clause 98A, *agreed to*.

Clause 99, *agreed to*.

Clause 100 ("Power to organise fêtes"):

Mr. *Frederick Tuppenny*, recalled, and examined.

Clause, *agreed to*.

Clause 101, *agreed to*.

[Adjourned till Friday, the 29th June, at Half-past Eleven.]

Friday, 29th June 1900.

MEMBERS PRESENT:

Lord EDMOND FITZMAURICE in the Chair.

Mr. H. J. Wilson.
Mr. J. W. Wilson.

Sir Henry Bemrose.

HASTINGS CORPORATION BILL—*continued.*

On Clause 92 ("Wrecks"):

Mr. *Pelham* from the Board of Trade attended at the request of the Committee, and gave the views of the Board in regard to the clause.

Clause amended, and *agreed to*.

Part X. ("Licences and Police"):

Clauses 102—104, withdrawn.

Clause 105, amended and *agreed to*.

Clause 106, *disagreed to*.

Clause 107, withdrawn.

New Clause 107, *disagreed to*.

Clause 108, *disagreed to*.

Clause 109, *agreed to*.

Clause 110, *agreed to*.

Clauses 111—115, withdrawn.

Clause 116, *agreed to*.

Part XI. ("Finance"):

Clauses 117 and 118, amended, and *agreed to*.

On Clause 119 ("Periods for Payment"):

Mr. *Philip H. Palmer*, re-called, and examined.

Clause amended, and *agreed to*.

Clause 119A, *agreed to*.

Clauses 120—123, *agreed to*.

Clause 124, amended, and *agreed to*.

Clause 125 *withdrawn*.

Clause 125A, substituted, amended, and *agreed to*.

Clause 126, *agreed to*.

Clause 127 ("Uniform Period for Repayments"), amended, and *agreed to*.

Clauses 128—130, *disagreed to*.

Clauses 131—141, *withdrawn*.

Clause 142, *agreed to*.

Clauses 143 and 144, *withdrawn*.

Clause 145 ("Thrift Fund"):

Mr. *Benjamin Meadows*, recalled, and examined.

Clause, *agreed to*.

Clauses 146 and 147, *agreed to*.

Clauses 148—150, amended, and *agreed to*.

Clause 151, *agreed to*.

Clause 152, amended, and *agreed to*.

Clauses 153—155, *agreed to*.

Clause 156 ("Accidents Insurance Fund"):

Mr. *Benjamin Meadows*, recalled, and examined

Clause, *struck out*.

Clause 157, *withdrawn*.

Clause 158, amended, and *agreed to*.

Clause 159, *postponed*.

Clauses 160—162, amended, and *agreed to*.

Clause 163, *agreed to*.

Clauses 164 and 164A, *agreed to*.

Clauses 165 and 165A, *agreed to*.

Clause 166, *agreed to*.

Postponed Clause 159, amended, and *agreed to*.

New Clauses *agreed to*.

Postponed Clauses considered, amended and *agreed to*.

Postponed Clauses 90 and 91, *disagreed to*.

New Clauses brought up in substitution for the above, and *agreed to*.

Preamble read a second time, and amended.

Question, That the Preamble, as amended, is proved,—put, and *agreed to*.

Postponed Part I. ("Preliminary"):

Clauses 1 and 2, *agreed to*.

Clauses 3 and 4, amended, and *agreed to*.

Clause 5, *withdrawn*.

Clause 6, *agreed to*.

[Adjourned till Monday, at Twelve o'clock.]

Monday, 2nd July 1900.

Lord *Edmond Fitzmaurice* went through the Report of the Hastings Corporation with Mr. *Bell*, the Agent of the Bill.

Ordered, to report.

[Adjourned till Monday, 9th July, at Twelve o'clock.]

Monday, 9th July 1900.

MEMBERS PRESENT:

Lord EDMOND FITZMAURICE in the Chair.

Mr. H. J. Wilson.

Mr. J. W. Wilson.

PRESTON CORPORATION (LORDS) BILL.

Counsel:—Mr. *G. A. R. FitzGerald*.

Agents:—Messrs. *Dyson & Co.*

Preamble read the first time.

Reports from the Local Government Board and the Home Office were read.

Mr. *Boyce* and Mr. *Troup*, C.B., appeared in support of the above Reports respectively.

Mr. *G. A. R. FitzGerald* was heard in support of the Preamble of the Bill, and called evidence.

Mr.

Mr. *Henry Hamer*, sworn, and examined.

Preamble postponed.

Part I.:

Clauses 1—5, *postponed*.

Part II.:

Clause 6, *postponed*.

Clause 7, *agreed to*.

Clause 8, amended, and *agreed to*.

Clause 9—19, *agreed to*.

Clause 20, amended, and *agreed to*.

Clauses 21—52, *agreed to*.

Parts III. and IV., *withdrawn*.

Part V. ("General Provisions common to Tramways and Street Works"):

Mr. *Ernest Mathew Lacey*, sworn, and examined.

Clauses 53 and 54, *agreed to*.

On Clause 55 ("Temporary stoppage of Streets"):

Mr. *Henry Hamer*, recalled, and examined.

Clause, *agreed to*.

Part VI. ("Lands"):

Clauses 56—58, *agreed to*.

On Clause 59 ("Gates across Footpath"):

Mr. *Henry Hamer*, further examined.

Clause, *disagreed to*.

Part VII. ("Markets"):

Clause 60 ("Licences for Sale out of Market"):

Mr. *Henry Hamer*, further examined.

Clause, *disagreed to*.

Part VIII. ("Milk Supply"):

Clauses 61—72, *agreed to*.

Part IX. ("Ice Creams"):

Clauses 73 and 74, *agreed to*.

Part X. ("Sanitary Provisions"):

On Clause 75 ("Flagging Courts and Yards"):

Mr. *Henry Hamer*, recalled, and examined.

Mr. *Henry A. Pilkington*, sworn, and examined.

Clause 75, *postponed*.

Clause 76, *agreed to*.

Clause 77, *postponed*.

On Clause 78 ("Public Conveniences and Lavatories"):

Mr. *Henry Hamer*, further examined.

Clause further amended by the insertion of the words "repairable by the inhabitants at large" after the word "street" in line 29.

Part XI. ("Advertisements, Hoardings, &c."):

Clauses 79 and 80, amended, and *agreed to*.

Clause 81, *agreed to*.

Part XII. ("Finance and Rates") :

On Clause 82 ("Power to borrow"):

Mr. *Henry Hamer*, recalled, and examined.Clause *agreed to*.Clauses 83 and 84, *agreed to*.Clause 85, amended, and *agreed to*.

On Clause 86 ("Repayment of borrowed money")

Mr. *Henry Hamer*, further examined.Clause, *agreed to*.

On Clause 87 ("Investment of Sinking Fund"):

Mr. *Henry Hamer*, further examined.Clause, amended, and *agreed to*.Clauses 88—92, *agreed to*.Clause 93, amended, and *agreed to*.

Part XIII. ("Miscellaneous") :

Clauses 94—96, *agreed to*.New Clause 96A, *agreed to*.Clauses 97 and 98, *agreed to*.Clause 99, amended, and *agreed to*.First, Second, and Third Schedule, *agreed to*.

Preamble read a second time.

Question, That the Preamble is proved,—put, and *agreed to*.

Parties informed of the Committee's decision.

New Clauses considered, amended, and *agreed to*.

[Adjourned till To-morrow, at Twelve o'clock.]

Tuesday, 10th July 1900.

MEMBERS PRESENT:

Lord EDMOND FITZMAURICE in the Chair.

Mr. H. J. Wilson.
Mr. J. W. Wilson.Mr. Wylie.
Sir Henry Bemrose.PRESTON CORPORATION (LORDS) BILL—*continued*.Postponed Clauses 75 and 77, amended, and *agreed to*.New Clauses, amended, and *agreed to*.Report, read, and *agreed to*.*Ordered*, to report.

SHEFFIELD CORPORATION (LORDS) BILL.

Counsel: Mr. *Balfour Browne*, Q.C., Mr. *Baggallay*, Q.C., Mr. *Gerald A. R. FitzGerald*,
and Mr. *J. E. Ellison*.Agents: *Sherwood & Co.*

The

The following Petitions against the Bill were read :

WORTLEY RURAL DISTRICT COUNCIL.

Counsel : Reserved.

Agents : *Torr & Co.*

DERBYSHIRE COUNTY COUNCIL.

Counsel : Mr. *Macmorran*, Q.C.

Agents : Messrs. *Lewin & Co.*

THE DUKE OF NORFOLK.

Counsel : Lord *Robert Cecil*, Q.C., Mr. *A. V. Frere*.

EARL FITZWILLIAM.

Counsel : Mr. *Hans Hamilton*.

Agents : Messrs. *Purves*.

Preamble read the first time.

Reports from the Local Government Board and the Home Office were read.

Mr. *Boyce* and Mr. *Troup*, C.B., appeared in support of the above respectively.

Mr. *G. A. R. FitzGerald* was heard in support of the Preamble of the Bill, and called evidence.

Mr. *Henry Sayer*, Mr. *Charles Wike*, Dr. *Robertson*, sworn, and examined.

Preamble postponed.

Part I. :

Clauses 1—6, *postponed*.

Part II. (" Extension of City "):

On Clause 7 :

Mr. *Henry Sayer*, further examined.

Clause, amended, and *agreed to*.

Clauses 8—10, amended and *agreed to*.

Clauses 11 and 12, *agreed to*.

Clause 13, *withdrawn*.

Clauses 14—19, *agreed to*.

On Clauses 20 and 21.

Mr. *Henry Sayer*, further examined.

Clauses amended, and *agreed to*.

Clause 22, *withdrawn*.

Clauses 23—31, *agreed to*.

Clause 32, amended, and *agreed to*.

Clauses 33 and 34, *agreed to*.

Clause 35, amended, and *agreed to*.

Clauses 36—38, *agreed to*.

Clause 39, *withdrawn*.

Clauses 40—47, *agreed to*.

Clause 48, amended, and *agreed to*.

Clauses 49 and 50, *agreed to*.

Clauses 51—53, *agreed to*.

Clause 54, amended, and *agreed to*.

Clauses 55—59, *agreed to*.

On

On Clause 60:

Mr. *Henry Sayer*, recalled, and examined.

Clause amended, and *agreed to*.

Clause 61, *agreed to*.

Part III. ("Consolidation of Townships"):

Clause 62, amended, and *agreed to*.

Clause 63, *agreed to*.

Clause 64, amended, and *agreed to*.

Clauses 65—67, *postponed*.

On Clause 68 ("Provision as to Guardians"):

Mr. *Henry Sayer*, recalled, and examined.

Clause, *postponed*.

Clause 69, amended, and *agreed to*.

Clause 70, *agreed to*.

New Clause 70A, *agreed to*.

Part IV. ("Tramways"):

Clause 71, *agreed to*.

Clauses 72—76, *agreed to*.

On Clause 77 ("As to tramway expenses"):

Mr. *Henry Sayer*, recalled, and examined.

Mr. *William F. Tasker*, sworn, and examined.

Clause, *agreed to*.

Clauses 78—82, *agreed to*.

Parts V.—IX, *postponed*.

Part X. ("Provisions as to Milk Supply"):

Clauses 135—145, *agreed to*.

Part XI. ("Style of Corporation"):

Clause 146, *agreed to*.

Part XII. ("Lands"):

Clauses 147—151, *agreed to*.

Clause 152 ("Power to appropriate Lands for purposes of Act"), *agreed to*.

[Adjourned till To-morrow, at Twelve o'clock.]

Wednesday, 11th June 1900.

MEMBERS PRESENT:

Lord EDMOND FITZMAURICE in the Chair.

Mr. H. J. Wilson.

Mr. Runciman.

SHEFFIELD CORPORATION (LORDS) BILL—*continued*.

Clauses further considered.

Postponed Part VI. ("Street and Building Regulations"):

Clause 83, *agreed to*.

On

On Clause 84 ("Corporation may define future line of Streets"):

Mr. *Charles F. Wike*, sworn, and examined.

Mr. *Frederick W. Bennett*, who represented the property owners in Sheffield who petitioned against the Bill in the other House, was called by the Committee, sworn, and examined.

Room cleared.—The Committee deliberated.

Question, That the Clause be allowed with the Amendments proposed by the Promoters, with the exception of Sub-section (2), which the Committee decided should be restored to the form proposed in the Bill as originally deposited,—put, and *agreed to*.

Parties called in, and informed of the decision of the Committee.

On Clause 85 ("Intersecting streets"):

Mr. *Charles F. Wike*, recalled, and examined.

Mr. *Peter Marshall*, sworn, and examined.

Clause, amended, and *agreed to*.

Clauses 86 and 87, amended, and *agreed to*.

Clauses 88—90, *agreed to*.

On Clause 91:

Mr. *Charles F. Wike*, further examined.

Clause, *struck out*.

Clause 92, *agreed to*.

Clause 93, *disagreed to*.

On Clause 94 ("Erection of Bridges"):

Mr. *George E. Eachus*.

Clause 94, *struck out*.

Clauses 95—98, *agreed to*.

Clauses 99—102,

Clauses 103—105, amended, and *agreed to*

On Postponed Part VII. ("Police Regulations"):

Mr. *Henry Sayer*, recalled, and examined.

Clauses 106 and 107, *agreed to*.

On Postponed Part VIII. ("Sanitary Regulations"):

Clause 108, *agreed to*.

Clause 109, amended, and *agreed to*

Clause 110, *postponed*.

Clause 111, *agreed to*.

Clauses 112 and 113, *postponed*.

Clauses 114—117, amended, and *agreed to*.

Clauses 118—125, *agreed to*.

Clauses 126 and 127, *disagreed to*.

Clauses 128—132, *agreed to*.

[Adjourned till To-morrow, at Twelve o'clock.]

Thursday, 12th July 1900.

MEMBERS PRESENT:

Lord EDMOND FITZMAURICE in the Chair.

Sir Henry Bemrose.
Mr. H. J. Wilson.

Mr. Runciman.

SHEFFIELD CORPORATION (LORDS) BILL—*continued*

The following Appearance against Alterations was handed in:—

NORTON RURAL DISTRICT COUNCIL.

Counsel:—Reserved.

Agents:—*Dyson & Co.*

Clauses further considered.

New Clauses brought up, considered, and *agreed to*.

Part XII. ("Financial"):

Clauses 153 and 154, amended, and *agreed to*.

On Clause 155:

Mr. *William F. Tusher*, recalled, and examined.

Clause amended, and *agreed to*.

Clause 156, amended, and *agreed to*.

Clauses 157—160, *agreed to*.

Clause 161 ("Power to contribute to Rifle Ranges"), *disagreed to*.

Clauses 162—166, *agreed to*.

Clause 167, amended, and *agreed to*.

Clause 168 ("Appeal under Parts VI. and VIII."), *disagreed to*.

New Clause 168A, amended, and *agreed to*.

Clauses 169—175, *agreed to*.

Clause 176 (for the Protection of the Sheffield District Railway Company) amended, and *agreed to*.

Clauses 177—179, *agreed to*.

Postponed Clauses 65—68, amended, and *agreed to*.

Postponed Clauses 110, 112 and 113, amended, and *agreed to*.

Mr. *Baggallay* was heard on behalf of the Promoters in an application to be allowed to re-open the question of Clause 91 of the Bill which had been disagreed to by the Committee.

The Committee decided that they would not re-open the question.

New Clauses considered, and *agreed to*.

[Adjourned till Four o'clock this evening, to meet
Section B. and consider Report.]

Thursday, 12th July 1900.

MEMBERS PRESENT:

Lord EDMOND FITZMAURICE in the Chair.

Mr. Bill.
Mr. Graham.
Mr. Runciman.
Sir Henry Bemrose.

Mr. H. J. Wilson.
Mr. Reginald McKenna.
Mr. Wason.

Mr. J. W. Lowther (Chairman of Ways and Means) was present at the request of the Committee.

DRAFT SPECIAL REPORT brought up by the *Chairman*, and read the first time, as follows:—

"1. Your Committee having concluded their labours for the Session of 1900, desire to make the following Report upon the work they have done, and as to the considerations which have governed their decisions.

"2. The following Bills were referred to and passed by your Committee: Liverpool Corporation, Bradford Corporation, Aberdeen Police and Improvement, Ilfracombe Improvement, Farnworth Urban District Council, Halifax Corporation, Lancaster Corporation, Oldham Corporation, Rochdale Corporation, Scarborough Corporation, West Ham Corporation, Hastings Corporation, Coventry Corporation, Southport Corporation, West Bromwich Corporation, Croydon Tramways and Improvements, Taunton Corporation, Preston Corporation [Lords], Sheffield Corporation [Lords].

"3. Your Committee have not granted powers which are in excess of, or which contravene, the general law, except in cases where local evidence has been produced, and where, by such evidence, proof has been given that difficulties were experienced in the locality with which the existing law has been found unable to cope; or where it has appeared to them desirable, in the interests either of public health or of public convenience or security, that some powers should be granted to the locality other than those conferred upon them by the general law.

"4. With reference to the periods for repayment of loans, your Committee have differentiated between work of a permanent and that of a temporary character, and they have endeavoured to put into practice the principle that the term for repayment shall be based upon the estimated life of the work in question, so that unfair burdens should not be thrown upon a future generation.

"5. A considerable amount of discussion has taken place in Parliament in regard to the Model Clauses inserted in several Bills with reference to the right of inspection proposed to be conferred on Urban Authorities outside their own limits with a view to the prohibition within the urban limits of the sale of milk produced by tuberculous cows. The Model Clauses on this subject seem now to be generally accepted, subject to a special right of appeal being reserved to any dairyman who considers himself to be aggrieved. The exact terms of an appeal clause are now under the consideration of the Local Government Board; and it is proposed that it should be added to the Model Clauses in the Bills now before Parliament, and in any future Bills dealing with the matter.

"6. Your Committee have again received most valuable assistance from Mr. Boyce, representing the Local Government Board. His departmental knowledge, experience of local legislation, and familiarity with the work of the Police and Sanitary Regulations Committee, make his presence essential to the due and satisfactory discharge of their duties. Your Committee also take this opportunity of acknowledging their obligations to Mr. Troup, C.B., who has ably represented the Home Office. They have also, from time to time, received the valuable assistance of officers of the Board of Trade, and the Charity Commissioners.

"7. Your Committee have found that in some instances clauses are still inserted in Improvement Bills which, although possibly based on precedents, cannot be supported by evidence of local requirements; also that clauses are inserted which assume to but do not meet the requirements of the particular locality, as shown by the evidence of the witnesses, and that other clauses are inserted without any adequate attempt having been made to enforce the general law, which is alleged, but is not proved, to be deficient.

"8. It appears to your Committee that much unnecessary expense to the parties, and valuable time to the Committee, might be saved by the exercise of greater care in preparing Improvement Bills, and in revising them before submission to the Committee in the light of the evidence to be given by the witnesses, and by a more strict regard to the model clauses and recent precedents.

"It appears also to your Committee to be somewhat doubtful whether in all cases sufficient care has been taken to ascertain, before incurring the expense of a Private Bill, how far the objects to be attained can be effected under the general law or by means of Provisional Orders.

"9. It appears doubtful to your Committee if the exact operation of the Order of Reference which has governed the work of this Committee was foreseen when it was originally drawn up.

"The idea probably was that the Bills referred to this Committee would be such as dealt, if not exclusively, at least mainly, with Police and Sanitary clauses. But, at present, practically every Bill which contains any such clauses, even if the principal provisions deal with entirely different

matter, is referred to this Committee, with the result that a great portion of the work of the Committee is taken up with inquiries into matters which have nothing to do with police or sanitation, such as Gas and Tramway Undertakings. It appears to your Committee to be worthy of the attention of the Houses whether a complete separation might not with advantage be made between the consideration of such proposals and of proposals referring to the work for which the Committee was originally intended.

"10. Your Committee desire strongly to reiterate the suggestion previously offered, for the consideration of the House, whether the time has not arrived for the inclusion in a Public Bill of many of the clauses which are so frequently introduced into Private Bills, and which have almost invariably been accepted by Parliament. It appears to your Committee that much trouble and expense might be saved if the necessity for application to Parliament for such powers by individual authorities were rendered unnecessary."

Question, That the Draft Special Report be read a second time, paragraph by paragraph,—put, and *agreed to*.

Paragraph 1, *agreed to*.

Amendment proposed that the following new paragraph be inserted in the Report:

"2. The first meeting of your Committee took place on the 27th March and the last on the 19th July.

"It appeared to your Committee after sitting 12 days, during which they had considered the Liverpool Corporation, Bradford Corporation, Aberdeen Police and Improvement, and Ilfracombe Improvement Bills, that it would be impossible for them to conclude the consideration of all the Bills referred to them at a sufficiently early date to allow of their passage through both Houses. Accordingly in pursuance of an Order of the House your Committee was augmented by three Members, divided into two sections by the Committee of Selection, and the remaining seventeen Bills were apportioned between them. Each section met thrice weekly, and the contingency of Bills having to be abandoned owing to postponement of consideration till an advanced period of the Session was by this means avoided"—(Mr. H. J. Wilson).

Question, That these words be there inserted,—put, and *agreed to*.

Paragraphs 3—6, *agreed to*.

Paragraphs 7 and 8, amended, and *agreed to*.

Paragraph 9.—Amendment proposed to leave out Sub-section 2—(Mr. Reginald McKenna).

Question, That the Sub-section proposed to be omitted stand part of the Report,—put, and *negatived*.

Paragraph 9, as amended, *agreed to*.

Paragraph 10, *disagreed to*.

Paragraph 11, *agreed to*.

Question, That this Report, as amended, be the Special Report of the Committee to the House,—put, and *agreed to*.

Ordered, to Report.

[Adjourned till Thursday, 19th July.

Thursday, 19th July 1900.

MEMBERS PRESENT:

Lord EDMOND FITZMAURICE in the Chair.

Mr. H. J. Wilson.

Sir Henry Bemrose.

SHEFFIELD CORPORATION BILL (LORDS)—*continued*.

New clauses considered, amended, and *agreed to*.

On new Clause 19A:

Mr. Henry Sayer, recalled, and further examined.

Clause, *agreed to*.

Postponed clauses, amended, and *agreed to*.

Preamble read a second time.

Question, That the Preamble is proved,—put, and *agreed to*.

[Adjourned till Tuesday next, at Four o'clock.

Tuesday, 24th July 1900.

MEMBERS PRESENT:

Lord Edmond Fitzmaurice.
Mr. H. J. Wilson.

Mr. Runciman.

SHEFFIELD CORPORATION BILL (LORDS)—*continued.*

Report read, and *agreed to.*

Ordered, to report.

SECTION B.

Tuesday, 15th May 1900.

MEMBERS PRESENT:

Mr. Heywood Johnstone.
Mr. Reginald McKenna.

Mr. Bill.
Mr. H. Graham.

Room cleared.

Mr. REGINALD MCKENNA was called to the Chair.

Parties called in.

HALIFAX CORPORATION BILL.

Counsel:—Mr. *Balfour Browne*, q.c., Mr. *J. D. FitzGerald*, and Mr. *R. W. Harper*.

Agents:—Messrs. *Lewin & Co.*

The following Petitions against the Bill were read:—

LANCASHIRE AND YORKSHIRE RAILWAY COMPANY.

Counsel:—Mr. *Pope*, q.c., Mr. *Little*, q.c., and Mr. *Page*, q.c.

Agents:—Messrs. *Sherwood & Co.*

GREAT NORTHERN RAILWAY COMPANY.

Counsel:—Reserved.

Agents:—Messrs. *Dyson & Co.*

WEST RIDING COUNTY COUNCIL.

Counsel:—Mr. *Freeman*, q.c., and Mr. *G. A. R. FitzGerald*.

Agents:—Messrs. *Dyson & Co.*

HALIFAX BILL-POSTING AND ADVERTISING COMPANY, LIMITED.

Counsel:—Mr. *H. H. Wilberforce*.

Agents:—Messrs. *J. Mote & Co.*

Preamble read the first time.

Reports from the Home Office and the Local Government Board were read.

Mr. *Balfour Browne*, q.c., was heard in support of the Preamble, and called evidence.

Mr. *K. Walton* and Mr. *Horace E. Foster*, sworn, and examined.

This was the case for the Preamble, so far as it related to the Extension of the Borough.

Mr. *G. A. R. FitzGerald* called evidence in support of the Petition of the West Riding County Council.

Dr. *Kaye*, sworn, and examined.

Mr. *Freeman*, q.c., was heard in support of the above Petition.

[Adjourned till To-morrow, at Twelve o'clock.]

Wednesday, 16th May 1900.

MEMBERS PRESENT :

Mr. REGINALD McKENNA in the Chair.

Mr. Graham.
Mr. Bill.

Mr. Heywood Johnstone.

The Committee decided to sit on Mondays, Wednesdays, and Thursdays.

HALIFAX CORPORATION BILL—*continued.*

Preamble, *postponed.*

Clauses considered.

Clauses 1—5, *postponed.*

Parts II., III., IV., V., VI., VII., VIII., *postponed.*

Part IX. :

Clauses 94 and 95, *agreed to.*

Clause 96, amended, and *agreed to.*

Clause 97, *agreed to.*

Clause 98, amended, and *agreed to.*

Clause 99, *agreed to.*

Clause 100, amended, and *agreed to.*

On Clause 101 (" For preventing soil and sand from being washed into streets ") :

Mr. Henry G. Escott, sworn, and examined.

Clause, *agreed to.*

On Clause 102 (" Fencing vacant lands adjoining streets ") :

Mr. Escott, further examined.

On Clause 103 (" Dangerous chimneys ") :

Mr. Escott, further examined.

Clause, *disagreed to.*

Clause 104—106, *agreed to.*

Clause 107, amended, and *agreed to.*

Clause 108, *postponed.*

Part XI., Clause 109 (" Inspection of drains ") :

Doctor Ernest G. Annis, who claimed to affirm, affirmed, and was examined.

Clause, amended, and *agreed to.*

[Adjourned till To-morrow, at Twelve o'clock.

Thursday, 17th May 1900.

MEMBERS PRESENT :

Mr. REGINALD McKENNA in the Chair.

Mr. Heywood Johnstone.
Mr. Graham.

Mr. Bill.

HALIFAX CORPORATION BILL—*continued.*

On postponed Part V. :

Mr. Balfour Browne was heard in support of the Tramways undertaking, and called evidence.

Mr. Keithley Walton, Mr. Richard Horsfall, and Mr. H. Escott, sworn, and examined.

Clauses

Clauses considered.

Clause 67, amended, and *agreed to*.

New Clauses 67A, B, C, and D, 67E and 67F, *agreed to*.

Clauses 68—70, *agreed to*.

Clause 71, amended, and *agreed to*.

Clause 72, *disagreed to*.

Clause 73, amended, and *agreed to*.

Clauses 74 and 75, *disagreed to*.

Clauses 76—78, amended, and *agreed to*.

Clauses 78A, 78B, and 78C, *agreed to*.

Clause 79, amended, and *agreed to*.

Part VI. ("Street Works"):

Clause 80, *agreed to*.

Clause 80A, amended, and *agreed to*.

Clauses 81 and 82, *agreed to*.

Clause 83, *disagreed to*.

Clauses 84 and 86, *agreed to*.

Clause 85, *disagreed to*.

Part VII. ("Sewage"):

Clause 87, amended, and *agreed to*.

New Clause 87A, *agreed to*.

Part VIII. ("Electricity"):

Clause 88, *disagreed to*.

New Clause 88, *agreed to*.

Clauses 89 and 90, amended, and *agreed to*.

Clause 91, *agreed to*.

Clause 92, amended, and *agreed to*.

Clause 93, *agreed to*.

Part X :**On Postponed Clause 108 :**

Dr. *Ernest G. Annis*, recalled, and examined.

Clause amended, and *agreed to*.

Clause 109, *agreed to*.

Clause 110, amended, and *agreed to*.

Clause 111, *disagreed to*.

New Clause 111A, *agreed to*.

Clauses 112—115, *agreed to*.

Clause 116, amended, and *agreed to*.

Clauses 117 and 118, *agreed to*.

Clauses 119—121, amended, and *agreed to*.

Clauses 122—129, *agreed to*.

Clause 130, *disagreed to*.

Clauses 131 and 132, *agreed to*.

On Clause 133 ("Annual registration of common lodging-house keepers"):

Dr. *Ernest Annis*, recalled, and examined.

Clause amended, and *agreed to*.

Clauses 134 and 135, *agreed to*.

Clause 136, amended, and *agreed to*.

Clauses 137—139, *agreed to*.

Part XVI. ("Parks and Recreation Grounds"):

On Clause 140 ("Corporations may erect buildings, &c."):

Mr. *Keithley Walton*, recalled, and examined.

Clause amended, and *agreed to*.

Clause 141, amended, and *agreed to*.

Part XVII. ("Police"):

Clause 143, amended, and *agreed to*.

Clauses 144—146, *agreed to*.

Clause 147, amended, and *agreed to*.

Part XVIII. ("Finance and Rating"):

On Clause 148 ("Power to borrow"):

Mr. *James Nicol*, sworn, and examined.

Clause amended, and *agreed to*.

Clause 149, amended, and *agreed to*.

Clause 150, *agreed to*.

Clauses 151 and 152, *disagreed to*.

Clause 152A, *agreed to*.

Clauses 153 and 154, *disagreed to*.

Clause 155, *agreed to*.

Part XIX. ("Fire Insurance Fund"):

Clause 156, amended, and *agreed to*.

Clause 157, *postponed*.

Clauses 158—166, *agreed to*.

Clause 167, *disagreed to*.

Clauses 168—175, *agreed to*.

[Adjourned till Monday, at Twelve o'clock.]

Monday, 21st May 1900.

MEMBERS PRESENT:

Mr. REGINALD McKENNA in the Chair.

Mr. Bill.

Mr. Graham

HALIFAX CORPORATION BILL.

Further consideration postponed till Wednesday.

WEST BROMWICH CORPORATION BILL.

Counsel:—Mr. *G. A. R. Fitzgerald* and Mr. *W. Shakespeare*.

Agents:—Mr. *A. Willes* and *R. W. Cooper and Sons*.

The following Petitions against the Bill were read :—

LONDON AND NORTH WESTERN RAILWAY COMPANY.

Counsel :—Mr. *Pope*, Q.C., and Mr. *Little*, C.B., Q.C.

Agent :—Mr. *C. H. Mason*.

GUARDIANS OF THE POOR OF THE WEST BROMWICH UNION.

Counsel :—Mr. *Reader Harris*, Q.C.

Agents :—Messrs. *Sherwood & Co.*

GEORGE WILLIAM SHERWELL AND JOSIAH FIELD.

Counsel :—Mr. *Forbes Lankester*.

Agents :—Messrs. *Sherwood & Co.*

SOUTH STAFFORDSHIRE TRAMWAYS AND SOUTH STAFFORDSHIRE TRAMWAYS (LESSEE) COMPANY, LIMITED.

Counsel :—*Reserved*.

Agents :—Messrs. *W. and Wm. Bell*.

Preamble read the first time.

Reports from the Local Government Board and the Home Office were read.

Mr. *Boyce* and Mr. *Troup*, C.B., appeared in support of the above Reports respectively.

A Report from the Board of Trade was read.

Mr. *G. A. R. FitzGerald* was heard in support of the Preamble, and called evidence.

Mr. *A. D. Grotorex*, Mr. *Thomas Hudson*, and Mr. *William Pitt*, sworn, and examined.

This closed the case for the Promoters.

Mr. *Reader Harris* called evidence in support of the Petition of the Guardians of the Poor of the West Bromwich Union.

Mr. *Henry Ward*, sworn, and examined.

[Adjourned till Wednesday, at Twelve o'clock.]

Wednesday, 23rd May 1900.

MEMBERS PRESENT:

Mr. REGINALD McKENNA in the Chair.

Mr. Graham.

Mr. Bill.

WEST BROMWICH CORPORATION BILL—*continued*.

Mr. *Reader Harris*, Q.C., was heard in support of the Petition of the Guardians of the Poor of West Bromwich.

Mr. *Forbes Lankester*, called evidence in support of the Petition of George W. Sherwell and Josiah Field.

Mr. *George W. Sherwell* and Mr. *Josiah Field*, sworn, and examined.

Mr. *Forbes Lankester* was heard in support of the Petition.

Preamble, *postponed*.

Clauses 1—5, *postponed*.

Part II., *postponed*.

On Part III. ("Electricity"):

Mr. *A. Grotorex*, recalled, and examined.

Clause

Clauses 32—36, amended, and *agreed to*.

Postponed Part II. :

Clause 6, *agreed to*.

Clauses 7—9, *postponed*.

Clause 10, *agreed to*.

Clauses 11 and 11A, *disagreed to*.

Clauses 12—18, *agreed to*.

New Clause 18A, *agreed to*.

Clauses 19—30, *agreed to*.

Clause 31, *disagreed to*.

Part IV. ("Streets and Buildings"):

Clause 37, *disagreed to*.

New Clause 37, *agreed to*.

Clauses 38 and 39, *agreed to*.

Clause 40, *disagreed to*.

New Clause 40, *agreed to*.

Clauses 41 and 42, amended, and *agreed to*.

Clauses 43—52, *agreed to*.

Clauses 53 and 54, amended, and *agreed to*.

Clauses 55—60, *agreed to*.

Clause 61, *disagreed to*.

Clause 62, *agreed to*.

Clause 63, *disagreed to*.

Clause 64—66, amended, and *agreed to*.

Clauses 67 and 68, *agreed to*.

Clause 69, *disagreed to*.

Clause 70, *agreed to*.

HALIFAX CORPORATION BILL—*continued*.

Postponed Clause 157, amended, and *agreed to*.

New Clauses, considered, amended, and *agreed to*.

Report read, and *agreed to*.

Ordered, to report.

[Adjourned till To-morrow, at Two o'clock

Thursday, 23rd May 1900.

MEMBERS PRESENT:

Mr. REGINALD McKENNA in the Chair.

Mr. Bill.

Mr. Graham.

OLDHAM CORPORATION BILL.

Counsel:—Mr. Pember, Q.C., Mr. Frere, and Mr. Davies Williams.

Agents:—Messrs. Lewin & Co.

Petition against the Bill read:—

POOR RATE AND BOROUGH RATE COLLECTORS OF OLDHAM.

Counsel:—Mr. Wedderburn, Q.C.

Agents:—Messrs. Baker, Lees & Co.

WEST BROMWICH CORPORATION BILL—*continued*.

Clauses further considered.

Clauses 71—76, amended, and *agreed to*.

Clause 77, *disagreed to*.

Clause 79, amended, and *agreed to*.

Clauses 80—82, amended, and *agreed to*.

New Clause 82A, *agreed to*.

Clauses 83—86, *agreed to*.

Clause 87, amended, and *agreed to*.

Clause 88, *agreed to*.

Clauses 89 and 90, amended, and *agreed to*.

Part VI. ("Infectious Diseases"):

Clauses 91—102, *agreed to*.

Clauses 103—105, *agreed to*.

Clause 106, amended, and *agreed to*.

Clauses 107 and 108, *agreed to*.

Part VIII. ("Slaughter-houses") *withdrawn*.

Part IX.:

Clauses 110—112, *disagreed to*.

Clause 113, *agreed to*.

Clauses 114 and 115, *disagreed to*.

Clauses 116—119, *agreed to*.

Clause 120, *disagreed to*.

Clauses 121 and 122, amended, and *agreed to*.

Clause 123, *disagreed to*.

Clauses 124 and 125, *agreed to*.

Clause 126, amended, and *agreed to*.

Clauses 127—129, *agreed to*.

Clause 130, *disagreed to*.

New Clause 130, *agreed to*.

Clauses 131—144, *postponed*.

Part XIII. ("Miscellaneous"):

Clauses 145—149, *agreed to*.

Clauses 150 and 151, amended, and *agreed to*.

Clause 152, *agreed to*.

Clauses 153 and 154, amended, and *agreed to*.

Clauses 155—159, *agreed to*.

Clause 160, *disagreed to*.

Clause 161, *agreed to*.

Clause 162, *disagreed to*.

Clauses 163—165, *agreed to*.

Clause 166, amended, and *agreed to*.

Part XIV. ("Finance"):

Clauses 167 and 168, *agreed to*.

Clauses 170—180, *agreed to*.

Clause 181, amended, and *agreed to*.

Clause 182, *agreed to*.

Clause 183, amended, and *agreed to*.

Clauses 184—189, *agreed to*.

Preamble, read a second time.

Question, That the Preamble is proved,—put, and *agreed to*.

Postponed Clauses 1—5, *agreed to*.

Postponed Clauses 131—144, amended, and *agreed to*.

Further consideration of Clauses *postponed* till Monday.

OLDHAM CORPORATION BILL.

Preamble read the first time.

Reports from the Local Government Board and the Home Office were read.

Mr. *Boyce* and Mr. *Troup*, C.B., appeared in support of the above Reports respectively.

Mr. *Pember*, Q.C., was heard in support of the Preamble.

Preamble *postponed*. The Committee decided to consider that portion of the Bill which was opposed before considering the other portions of the Bill.

Mr. *Pember* called evidence in support of that portion of the Bill which dealt with the collection of the Poor Rate in Oldham.

Mr. *John Hood*, sworn, and examined.

[Adjourned till Monday, at Twelve o'clock.

Monday, 28th May 1900.

MEMBERS PRESENT:

Mr. REGINALD McKENNA in the Chair.

Mr. Graham.

Mr. Bill.

OLDHAM CORPORATION BILL—continued.

Mr. *Wedderburn*, Q.C., was heard in an application for costs on behalf of the Petitioners, the Poor Rate and Borough Rate Collectors of Oldham.

Mr. *Pember*, Q.C., called attention to the fact that all the Members of the Committee were not present, and that an unanimous decision of a Committee was necessary to award costs. The Committee decided in accordance with precedent that an unanimous quorum of the Committee can award costs.

The Committee reserved their decision on the question of costs.

Preamble, *postponed*.

Part I., *postponed*.

On Part II. ("Lands"):

Mr. *John Hood*, recalled, and further examined

Mr. *George Nadin*, sworn, and examined.

Clauses considered.

Clauses 5 and 6, *agreed to*.

Clause

Clause 7, amended, and *agreed to*.

Clause 8, *agreed to*.

Clauses 9—14, amended, and *agreed to*.

Part III. ("Markets"):

Clauses 15—17, *agreed to*.

Part IV. ("Sanitary Provision"):

On Clause 18 ("Corporation may require water closets or waste water closets to new buildings"):

Mr. *Alfred Waddington* and Mr. *Samuel A. Pickering*, sworn, and examined.

Clause 18, *agreed to*.

Clauses 19—21, amended, and *agreed to*.

Clauses 22—25, *agreed to*.

Clauses 26—28, amended, and *agreed to*.

Part V. ("Tuberculosis and Milk"):

Clause 29, amended, and *agreed to*.

Clause 30, *disagreed to*.

Clause 30A, *agreed to*.

Clause 31, amended, and *agreed to*.

Part VI. ("Police"):

Clause 32, *disagreed to*.

Clause 33, amended, and *agreed to*.

On Clause 34 ("No person to have care of more than one cart"):

Mr. *Jackson Brierley*, sworn, and examined.

Clause, *agreed to*.

Clause 35, *disagreed to*.

The Committee decided that they would hear Mr. *Wedderburn* in a further application for costs on behalf of the Poor Rate and Borough Rate Collectors of Oldham.

Mr. *Wedderburn* addressed the Committee accordingly.

Mr. *Pember* was heard on behalf of the Promoters against the application.

Room cleared.—The Committee deliberated.

Question, That the Petitioners be allowed costs,—put, and *agreed to* unanimously.

Parties called in and informed of this decision.

Clauses further considered.

Part VII. ("Financial Provisions and Rating"):

On Clause 36, Section 3 ("Power to borrow for infectious hospital purposes"):

Mr. *Alfred Waddington*, recalled, and examined.

Clause 36, amended, and *agreed to*.

Clause 37, *agreed to*.

Clauses 38 and 39, amended, and *agreed to*.

Clause 40, *disagreed to*.

Clause 41, *agreed to*.

Clauses 42, 42A, and 43, *disagreed to*.

Clause 43A, *agreed to*.

Clauses 44 and 45, *disagreed to*.

Clauses 46 and 47, *agreed to*.

Part VIII. ("Miscellaneous"):

Clauses 48—51, 51A, 51B, 51C, and 52, *agreed to*.

Clause 53, amended, and *agreed to*.

Clauses 54—57, *agreed to*.

Preamble read a second time.

Question, That the Preamble is proved,—put, and *agreed to*.

Postponed Clauses 1—3, amended, and *agreed to*.

Postponed Clause 4, *withdrawn*.

Report read, and *agreed to*.

Ordered, To Report.

WEST BROMWICH CORPORATION BILL—*continued*.

Clauses further considered.

New Clauses, considered, and *agreed to*.

Report read, and *agreed to*.

Ordered, To Report.

[Adjourned till Monday, 18th June

Monday, 18th June 1900.

MEMBERS PRESENT:

Mr. REGINALD MCKENNA in the Chair.

Mr. Bill.

Mr. Wason.

WEST HAM CORPORATION BILL.

Counsel:—Mr. Balfour Browne, Q.C., Mr. Morten, and Mr. Hutchieson.

Agents:—Messrs. Rees and Frere.

The following Petitions against the Bill were read:—

WEST HAM GAS COMPANY.

Counsel:—Reserved.

Agents:—Messrs. Sherwood & Co.

GREAT EASTERN RAILWAY COMPANY.

Counsel:—Reserved.

Agent:—Mr. Edward Moore.

CORPORATION OF LONDON.

Counsel:—Reserved.

Agent:—Sir G. Prior Goldney.

LONDON, TILBURY, AND SOUTHEAST RAILWAY COMPANY.

Counsel:—Mr. Littler, Q.C., C.B.

Agents:—Messrs. Dyson & Co.

NORTH METROPOLITAN TRAMWAYS COMPANY.

Counsel:—Mr. Lewis Coward.

Agent:—Mr. Frank Richardson.

Preamble

Preamble read the first time.

Reports from the Local Government Board, the Home Office, and the Board of Agriculture were read.

Mr. *Boyce* and Mr. *Troup*, C.B., appeared in support of the Reports of the Local Government Board and the Home Office respectively.

Mr. *Balfour Browne*, Q.C., was heard in support of the Preamble, and called evidence.

Mr. *Frederic E. Harris* and Mr. *John E. Waller*, sworn, and examined.

Preamble, *postponed*.

Parts I.—III., *postponed*.

Clauses considered.

Part IV.:

Clauses 18—22, *agreed to*.

Clause 23, amended, and *agreed to*.

Clauses 24—31, *agreed to*.

Clauses 32, 33, and 33A, *agreed to*.

Clauses 34—39, *agreed to*.

Clause 40, amended, and *agreed to*.

Clauses 41 and 42, *agreed to*.

On Postponed Part II. ("Street Works"):

Mr. *John George Morley*, sworn, and examined.

Clause 6, amended, and *agreed to*.

Clauses 7—11, *agreed to*.

Clause 12, amended, and *agreed to*.

Mr. *Little* brought up and was heard in support of a Clause on behalf of the London, Tilbury, and Southend Railway Company.

Mr. *Edward Moore* brought up and was heard in support of a Clause for the protection of the Great Eastern Railway Company. The Committee agreed to the Clauses brought up by the aforesaid companies.

Mr. *Edward Moore* was further heard in an application that the cost of any injury caused to any bridge carrying any road over any of the railways of the Great Eastern Railway Company should be defrayed by the Corporation.

The Committee deliberated.

Question, That the cost of such injury be defrayed by the railway company,—put, and *agreed to*.

Parties informed of this decision.

Part V. ("Sanitary"):

Clauses 43 and 44, *agreed to*.

Part VI. ("Transfer of Jurisdiction"):

Mr. *Frederic E. Harris*, recalled, and examined.

Clauses 45—47, *agreed to*.

[Adjourned till Wednesday, at Twelve o'clock.]

Wednesday, 20th June 1900.

MEMBERS PRESENT:

Mr. REGINALD McKENNA in the Chair.

Mr. Bill

Mr. H. Graham.

WEST HAM CORPORATION BILL—*continued.*

Postponed Part III. ("Electric Works"):

Mr. *Morten*, on behalf of the Promoters, brought up New Clause 15A ("As to construction of bridge over Channelsea River"):

Mr. *John George Morley*, recalled, and examined.

Clause, *agreed to.*

Clauses 13—17, *agreed to.*

Sir *G. Prior Goldney*, on behalf of the Corporation of London, brought up and was heard in support of a Clause for the protection of the Corporation, in reference to the proposed taking of part of West Ham Park.

Sir *G. Prior Goldney* called evidence in support of the Clause.

Mr. *Alfred Gosling*, sworn, and examined.

Mr. *Morten*, on behalf of the Promoters, was heard against the proposed Clause.

The Committee agreed to the proposed Clause.

Part VII. ("Rating"):

Mr. *Frederic E. Harris*, recalled, and examined.

Clause 48, *agreed to.*

Clause 49, *disagreed to.*

Part VIII. ("Lands"):

On Clause 50 ("Lands"):

Mr. *John G. Morley*, recalled, and examined.

Clause 50, amended, and *agreed to.*

Clauses 51—55, *agreed to.*

Clause 56, *withdrawn.*

Clause 57, amended, and *agreed to.*

Clauses 58—60, *agreed to.*

Part IX. ("Financial"):

On Clause 61:

Mr. *Frederic Harris* and Mr. *John G. Morley*, recalled, and examined.

Mr. *James Bock*, sworn, and examined.

Clause 61, amended, and *agreed to.*

Proviso to Clause 61, *agreed to.*

New Clause 61A, *agreed to.*

Clauses 62 and 63, *agreed to.*

Clause 64, amended, and *agreed to.*

Clauses 65—67, *agreed to.*

Clause 68, amended, and *agreed to.*

Clause 69, *agreed to.*

Clauses 70—72, amended, and *agreed to.*

Part X.

Part X. ("Miscellaneous"):

Clauses 73—75, *withdrawn*.

Clauses 76—84, *agreed to*.

First Schedule, amended, and *agreed to*.

Second and Third Schedule, *agreed to*.

Preamble read a second time.

Question, That the Preamble is proved,—put, and *agreed to*.

The parties were informed of the decision of the Committee.

Postponed Part I. ("Preliminary"):

Clauses 1 and 2, *agreed to*.

Clause 3, amended, and *agreed to*.

Clause 4, *agreed to*.

Clause 5, *withdrawn*.

New Clauses, read, and *agreed to*.

Consideration of further New Clauses postponed till to-morrow.

[Adjourned till To-morrow, at Twelve o'clock.]

Thursday, 21st June 1900.

MEMBERS PRESENT:

Mr. REGINALD MCKENNA in the Chair.

Mr. Bill.

Mr. Graham.

WEST HAM CORPORATION BILL—continued.

New Clauses, read, and *agreed to*.

Report, read, and *agreed to*.

Ordered, To Report.

SCARBOROUGH CORPORATION BILL.

Counsel:—Mr. G. A. R. FitzGerald.

Agents:—Messrs. Durnford & Co.

The Bill was unopposed.

Preamble, read the first time.

Reports from the Local Government Board and the Home Office were read.

Mr. G. A. R. FitzGerald was heard in support of the Preamble, and called evidence.

Mr. Harry W. Smith, sworn, and examined.

Preamble, *postponed*.

Part I., postponed.**On Part II. ("Lands"):**

Mr. Harry W. Smith, recalled, and examined.

Sir George Sitwell, sworn, and examined.

Clauses 6—9, *agreed to*.

Clause 10, *postponed*.

Clauses 11—15, *agreed to*.

Part III. ("New Street and other Works"):

On Clause 16:

Mr. *Harry W. Smith*, recalled, and examined.Clause 16, *agreed to*.Clause 17—21, amended, and *agreed to*.Clause 22, *postponed*.

Part IV. ("Ramsdale Valley Bridge"):

Clauses 23—28, *withdrawn*.Clause 29, *postponed*.

Part VI. ("Sanitary"):

Mr. *David Arthur Nicholls*, sworn, and examined.

Clause 60 ("Inspection of Drains, &c."):

The Committee amended the clause so as to make it identical with Clause 116 in the *Halit Bill* as passed by the Committee this session.

Clause, as amended, *agreed to*.Clauses 61 and 62, amended, and *agreed to*.Clause 63, *withdrawn*.New Clause 63, *postponed*.

Clause 64 ("As to Nuisances"):

Mr. *David A. Nicholls*, recalled, and examined.Clause amended, by striking out Section C, and *agreed to*.Clauses 65—69, amended, and *agreed to*.

Part VIII. ("Manufacture of Ice Creams"):

Clauses 70 and 71, amended, and *agreed to*.

Part IX. ("Milk Supply"):

Clauses 72—75, *agreed to*.Clause 76, amended, and *agreed to*.Clauses 77—80, *agreed to*.Clause 81, *withdrawn*.Clause 82, *agreed to*.

Part X.:

Clause 83, *disagreed to*.

Clause 84 ("Dogs in Street to wear Collars, &c."):

Mr. *Henry Riches*, sworn, and examined.Clause, amended, and *agreed to*.Clause 85, *disagreed to*.Clause 86, *withdrawn*.Clause 87, amended, and *agreed to*.

Clause 88 ("Licensing of Shoeblacks"):

Mr. *Henry Riches*, recalled, and examined.Clause, *postponed*.

Part XIII. ("Alteration of Constitution of Harbour Commissioners"):

Mr. *J. Stevenson*, sworn, and examined.Clauses 124—159, *agreed to*.

Part XI. ("Street Buildings"):

Clause 89, amended, and *agreed to*.

Clause 90, *agreed to*.

Clause 91, amended, and *agreed to*.

Clause 92 ("Peasholm Lane to be stopped-up"):

Mr. *David Nicholls*, recalled, and examined.

Clause, *agreed to*.

Clause 93, amended, and *agreed to*.

Clauses 94 and 95, *agreed to*.

Clause 96, *withdrawn*.

Clause 97 ("Power to prohibit cellars in districts liable to floods"):

Mr. *Harry W. Smith*, recalled, and examined.

Clause, *postponed*.

Clauses 98—101, *agreed to*.

Clause 102, *postponed*.

Clause 103, *disagreed to*.

Part XII. ("Financial"), *postponed*.

Part XIV. ("Miscellaneous"):

On Clause 160 ("Power to close Recreation Grounds"):

Mr. *Harry W. Smith*, recalled, and examined.

Clause, *postponed*.

Clause 161, *postponed*.

Clause 162 ("Water fittings to be tested and stamped before use"):

Clause, *disagreed to*.

Clause 163, *agreed to*.

Clause 164, amended, and *agreed to*.

Clauses 165—177, *agreed to*.

[Adjourned till Monday, at Twelve o'clock.]

Monday, 25th June 1900.

MEMBERS PRESENT:

Mr. REGINALD McKENNA in the Chair.

Mr. Bill.
Mr. Wason.

Mr. Heywood Johnstone.

TAUNTON CORPORATION BILL.

No appearance by Counsel.

Agents:—Messrs. *Sharpe & Co.*

The Bill was unopposed.

SCARBOROUGH CORPORATION BILL—*continued*.

Postponed Part XII. ("Financial"):

Clause 104, amended, and *agreed to* :

On Clause 105 ("Power to Borrow"):

Mr. *Harry W. Smith*, recalled, and further examined.

Clause, amended, and *agreed to*.

Clauses 106 and 107, amended, and *agreed to*.

Clauses 108 and 109, *disagreed to*.

Clauses 110—123, *postponed*.

On Part II. ("Lands"):

Postponed Clause 10 ("Power to retain, sell, lease, &c., lands"):

Clause, *withdrawn*.

Clauses 9A, 10A and 10B brought up in substitution therefor.

Clauses, *agreed to*.

Postponed Clause 22, *agreed to*.

Postponed Clause 29, amended, and *agreed to*.

Postponed New Clause 63, further *postponed*.

Postponed Clause 88 ("Licensing of shoe-blacks").

Clause, *withdrawn*.

New Clause 88, brought up.

Clause, *agreed to*.

Postponed Clause 97, *withdrawn*.

Postponed Clause 102 ("Sanitary conveniences in streets"), amended, and *agreed to*.

Postponed Clause 160 ("Power to close Recreation Grounds"), *withdrawn*.

New Clause 160, brought up, and *agreed to*.

Postponed Clause 161, *agreed to*.

Further consideration of Clauses *postponed* till Wednesday.

Preamble read a second time.

Question, That the Preamble is proved,—put, and *agreed to*.

Parties informed of the Committee's decision.

Postponed Clauses 1—5, amended, and *agreed to*.

TAUNTON CORPORATION BILL.

Preamble read the first time.

Reports from the Home Office and the Local Government Board were read.

Mr. *Troup*, C.B., and Mr. *Boyce*, appeared in support of the above Reports respectively.

Mr. *Pritchard*, the Agent for the Bill, addressed the Committee in support of the Preamble, and called evidence.

Mr. *George H. Kite*, sworn, and examined.

Preamble *postponed*.

Part I. ("Preliminary"), *postponed*.

On Part II. ("Water"):

Mr. *George H. Kite*, recalled, and examined.

Clauses considered.

Clauses 6—10, *agreed to*.

Clause 11, *withdrawn*.

Clauses 12 and 13, *agreed to*.

Clause 14, amended, and *agreed to*.

Clauses 15, 15A and 16, *agreed to*.

Clause 17, *disagreed to*.

New Clause 17 substituted therefor, and *agreed to*.

Clauses 18—26, *agreed to*.

Clause 27, *postponed*.

Clauses 27A, 27B, and 28, *agreed to*.

Part III. ("Milk Supply"):

Clauses 29—37, *agreed to*.

Part IV. ("Streets and Buildings"):

Clause 38, *withdrawn*.

Clause 106 of the Halifax Corporation Bill of this Session, as amended by the Committee, substituted in place thereof,—and *agreed to*.

Clauses 39 and 40, *agreed to*.

Clauses 41—44, amended, and *agreed to*.

Clauses 45 and 45A, *agreed to*.

Part V. ("Finance"):

Clauses 46—58, *postponed*.

Clauses 59—63, *agreed to*.

On Clause 64 ("As to uniform period for repayment of money already borrowed"):

Mr. Aulyn Norris, sworn, and examined.

Clause, *postponed*.

Part VI. ("Miscellaneous"):

Clauses 65 and 66, *agreed to*.

Clauses 67, amended, and *agreed to*.

Clauses 68, 69, 69A, 70—72, *agreed to*.

On Clause 73 ("Bye-laws for regulation of street traffic during market hours"):

Mr. George H. Kite, recalled, and examined.

Clause, *postponed*.

Clauses 74—83, *agreed to*.

Part VII. ("Town Hall and Markets"):

Mr. George H. Kite, recalled, and examined.

[Adjourned till Wednesday, at Twelve o'clock.]

Wednesday, 27th June 1900.

MEMBERS PRESENT:

Mr. REGINALD McKENNA in the Chair.

Mr. Bill.
Mr. Wason.

Mr. Graham.

COVENTRY CORPORATION BILL.

Counsel:—Mr. G. A. R. FitzGerald.

Agents:—Messrs. Sharpe & Co.

The Bill was unopposed.

TAUNTON CORPORATION BILL—*continued*.

Room Cleared.—The Committee summoned Mr. *Boyce* to attend, and deliberated on Part VII. of the Bill ("Town Hall and Markets").

Parties called in.—Clauses proceeded with.

Part VII. ("Town Hall and Markets"):

The *Chairman* announced that the Committee had decided that the promoters should bring up a Clause enabling the Corporation to purchase by agreement from the Market Authority the markets and rights thereof after submitting the proposal to the ratepayers.

Postponed Part V. ("Finance"):

Clause 46, amended, and *agreed to*.

Clauses 47—49, *agreed to*.

Clause 50, amended, and *agreed to*.

Clauses 51—54, *agreed to*.

Clause 55, amended, and *agreed to*.

Clauses 56 and 57, *agreed to*.

Clause 58, amended, and *agreed to*.

Postponed Clauses 64, 73, and 27, amended, and *agreed to*.

Preamble read a second time.

Question, That the Preamble is proved,—put, and *agreed to*.

Parties informed of this decision.

Part I. ("Preliminary"):

Clause 1, *agreed to*.

Clause 2, amended, and *agreed to*.

Clause 3, *agreed to*.

Clause 4, amended, and *agreed to*.

Clause 5, *disagreed to*.

Further consideration of Clauses *postponed*.

COVENTRY CORPORATION BILL.

Preamble read the first time.

Reports from the Local Government Board and the Home Office were read.

Mr. *Boyce* and Mr. *Troup*, C.B., appeared in support of the above, respectively.

Mr. *G. A. R. FitzGerald* was heard in support of the Preamble.

Postponed for a short time.

SCARBOROUGH CORPORATION BILL—*continued*.

Clauses further considered.

On postponed Clauses 110—123:

Mr. *Harry W. Smith*, recalled, and examined.

Clauses withdrawn, new Clauses substituted therefor, considered, and *agreed to*.

Postponed Clause 63, amended, and *agreed to*.

Report read, and *agreed to*.

Ordered, to Report.

COVENTRY CORPORATION BILL—*continued*.

Mr. *G. A. R. FitzGerald* called evidence in support of the Preamble.

Mr. *Lewis Beard* and Rev. *Francis Beaumont*, sworn, and examined.

Rev. *Henry Bottomley* and Mr. *Jonathan Bray*, sworn, and examined.

Preamble, *postponed*.

Clauses, considered.

Part I.:

Clauses 1—6, *postponed*.

On Part II. ("Street Works"):

Mr. *Joseph E. Swindlehurst*, sworn, and examined.

Clause 7, *agreed to*.

Clauses 8 and 9, amended, and *agreed to*.

Clauses 10, *agreed to*.

Clauses 11 and 12.

Mr. *Joseph Swindlehurst*, recalled, and further examined.

Clauses, *agreed to*.

Part III. ("Lands"):

Clauses 13—15, *agreed to*.

Clause 16, amended, and *agreed to*.

Clauses 17—25, *agreed to*.

TAUNTON CORPORATION BILL—*continued*.

Postponed Part VII. ("Markets and Town Hall"):

New Clauses brought up, considered, and *agreed to*.

Clauses 84—86, *agreed to*.

Clause 87, amended, and *agreed to*.

Clauses 88 and 89, *agreed to*.

Report read, and *agreed to*.

Ordered, to Report.

[Adjourned till Thursday, at Twelve o'clock.

Thursday, 28th June 1900.

MEMBERS PRESENT:

Mr. REGINALD McKENNA in the Chair.

Mr. Wason.
Mr. Graham.

Mr. Heywood Johnstone.

COVENTRY CORPORATION BILL—*continued*.

Clauses further considered.

Part V. ("Recreation Grounds"):

Mr. *Lewis Beard*, recalled, and examined.

Clauses 26 and 27, *agreed to*.

Clause 28, amended, and *agreed to*

Clause

Clause 29, *agreed to*.

Clauses 30 and 31, amended, and *agreed to*.

Part VI. ("Infectious Disease"):

Clauses 32—40, *agreed to*.

Clause 41, *disagreed to*.

Clauses 42—44, *agreed to*.

Part VII. ("Milk Provisions"):

Clauses 45—50, *agreed to*.

Part VII. ("Sanitary Provisions"):

Clauses 51 and 52, *agreed to*.

Clause 53 ("Power of entry"):

Mr. *Lewis Beard*, recalled, and examined.

Clause amended, and *agreed to*.

Clauses 54—56, *agreed to*.

On Clause 57 ("Unsound food: penalty on original vendor"):

Mr. *Ernest H. Snell*, M.D.

Clause, *disagreed to*.

Clause 58, amended, and *agreed to*.

Clause 59, *withdrawn*.

Clause 60 ("Rivers, streams, &c., choked up to be a nuisance"):

The Committee decided to consider Clause 104 in connection with Clause 60.

Mr. *Joseph E. Swindlehurst*, recalled, and examined.

Clause 104, amended, and *agreed to*.

Clause 60, *withdrawn*.

Clauses 61 and 62 ("Corporation may revoke licences for private slaughter-houses") and ("Power to close slaughter-houses if injurious to public health"):

Mr. *Ernest H. Snell*, M.D., recalled, and examined.

Clauses 61 and 62, *agreed to*.

Part IX. ("Common Lodging Houses"):

Clauses 63—65, *agreed to*.

Part X. ("Streets, Buildings, Sewers, &c.):

Clauses 66—69, *agreed to*.

Clause 70, *withdrawn*.

Clauses 71 and 72, *agreed to*.

Clause 73, *postponed*.

Clauses 74 and 75, *agreed to*.

On Clause 76:

Mr. *Joseph E. Swindlehurst*, recalled, and examined.

Clause amended, and *agreed to*.

Clauses 77—79, *agreed to*.

Clause 80, amended, and *agreed to*.

Clauses 81—83, *agreed to*.

Clauses 84 and 85, amended, and *agreed to*.

Clauses 86 and 87, *agreed to*.

Clause 88, *withdrawn*.

On New Clause 88, substituted therefor :

Mr. *Joseph E. Swindlehurst*, recalled, and examined.

Clause, amended, and *agreed to*.

Clause 89 (" Drainage works to be executed to prevent water flowing on footpath "):

Mr. *Joseph E. Swindlehurst*, recalled, and examined.

Clause, *postponed*.

Clause 90, *agreed to*.

Part XI. (" Police "):

Clause 91, *agreed to*.

Clause 92, amended, and *agreed to*.

Clause 93, *agreed to*.

Clauses 94—98, amended, and *agreed to*.

Clause 99, *agreed to*.

Clauses 100 and 101, *disagreed to*.

Part XII. (" Advertisements "):

Clause 102 and 103, amended, and *agreed to*

Part XIV. (" Electricity "):

Clauses 105 and 106, amended, and *agreed to*.

Clauses 107 and 108, *agreed to*.

Part XV. (" Burial Grounds "):

On Clause 109 (" Dissolution of Foleshill Burial Board, &c."):

Rev. *Francis Beaumont* and Rev. *Henry Bottomley*, recalled, and examined.

Clause, *agreed to*.

Part XVI. (" Vicar's Rate "):

Clause 110, *agreed to*.

Part XVII. (" Financial Provisions "):

Clause 111, *agreed to*.

Clause 112—114, amended, and *agreed to*.

Clauses 115—126, *agreed to*.

Clause 127, *disagreed to*.

Clause 128, *agreed to*.

Clause 129 (" Compounding extended to borough and general district rate "):

Mr. *Harry Law*, sworn, and examined.

Clause, *agreed to*.

Clause 130, *agreed to*.

Clause 131, amended, and *agreed to*.

Part XVIII. (" Superannuation "):

Clause 132 (" Superannuation or provident fund ").

Clause, *agreed to*.

Clauses 133—140, *agreed to*.

Part XIX. (" Miscellaneous "):

Clause 141, *agreed to*.

On Clause 142 (" As to appeal "):

Mr. *Lewis Beard*, recalled, and examined.

Clause,

Clause, *agreed to*, in form as originally deposited, viz., with no restrictions as to appeal.

Clauses 143—149, *agreed to*.

New Clauses, *agreed to*.

Postponed Clauses 73 and 89, amended, and *agreed to*.

Postponed Part I.:

Clauses 1—6, *agreed to*.

[Adjourned till Monday, at Twelve o'clock.

Monday, 2nd July 1900.

MEMBERS PRESENT:

Mr. REGINALD McKENNA in the Chair.

Mr. Heywood Johnstone.

Mr. Wason.

Mr. Bill.

COVENTRY CORPORATION BILL—*continued*.

Preamble read a second time.

Question, "That the Preamble is proved,"—put, and *agreed to*.

Report read, and *agreed to*.

Ordered, to Report.

SOUTHPORT CORPORATION BILL.

Counsel:—Mr. *Balfour Browne*, Q.C., Mr. *Freeman*, Q.C., and Mr. *Davies Williams*.

Agents:—Messrs. *Lewin & Co*.

The following Petitions against the Bill were read:

I. VICAR AND CHURCHWARDENS OF CHRISTCHURCH, SOUTHPORT.

Counsel:—Mr. *Talbot*.

Agents:—Messrs. *Rees and Frere*.

II. TRUSTEES OF THE LATE CHARLES SCARISBRICK.

Counsel:—Mr. *Ram*, Q.C., Mr. *Squarey*.

Agents:—Messrs. *Rees and Frere*.

III. CHARLES HESKETH BIBBY HESKETH AND OTHERS.

Counsel:—Mr. *Baggallay*, Q.C., and Mr. *Frere*.

Agents:—Messrs. *Rees and Frere*.

Preamble read the first time.

Reports from the Local Government Board and the Home Office were read. Mr. *Boyce* and Mr. *Troup*, C.B., appeared in support of the above Reports respectively.

Mr. *Balfour Browne* was heard in support of the Preamble, and called evidence.

Mr. *Thomas P. Griffiths*, sworn, and examined.

Preamble, *postponed*.

The Committee decided to consider the unopposed portion of the Bill first.

Parts I. to VIII., *postponed*.

Part IX. ("Milk Supply"):

Clause 88, *agreed to*.

Part X. ("Infectious Diseases"):

Clauses 89—93, *agreed to*.

Clause 94, *agreed to*.

Clause 95, *withdrawn*.

Clauses 96—101, *agreed to*.

Clause 102, *withdrawn*.

On Clause 103 ("Wake not to be held, &c."):

Mr. *Thomas P. Griffiths*, recalled, and examined.

Clause, *agreed to*.

Clauses 104 and 105, *agreed to*.

On Clause 106 ("Penalty on guardian permitting infected child to attend school"):

Mr. *John J. Weaver*, sworn, and examined.

Clause 106, *agreed to*.

Clause 107, amended, and *agreed to*.

Clause 108, *agreed to*.

Clause 109, *withdrawn*.

Clauses 110—115, *agreed to*.

Clauses 116 and 117, *withdrawn*.

Clauses 118 and 118A, *agreed to*.

Part XII. ("Public Lavatories and Slaughter-houses"):

Clause 119, *agreed to*.

On Clause 120 ("Slaughter-houses"):

Mr. *Thomas P. Griffiths*, recalled, and examine.

Clause, amended, and *agreed to*.

Clause 121, *agreed to*.

Clause 121A, amended, and *agreed to*.

Clauses 122—124, *agreed to*.

On Clause 125 ("Touting"):

Mr. *William Elliott* and Mr. *Henry Kennedy*, sworn, and examined.

Clause, *disagreed to*.

Clause 126, *agreed to*.

Part XIII.:

On Clause 127 ("Control of Traffic"):

Mr. *William Elliott*, recalled, and examined.

Clause, *disagreed to*.

Clauses 128 and 129, *agreed to*.

On Clause 130 ("Provisions as to children trading in streets"):

Mr. *Thomas P. Griffiths*, recalled, and examined.

Clause, amended, and *agreed to*.

Clauses 131 and 132, *agreed to*.

Part XIV. ("Hackney Carriages and Licences"):

Clause 133, *disagreed to*.

Clause 134, amended, and *agreed to*.

Clauses 135 and 136, *agreed to*.

Clause 137, *disagreed to*.

Part XIX. ("Miscellaneous"):

Clauses 188 and 189, *withdrawn*.

Clauses 190 and 191, *agreed to*.

Clause 192, amended, and *agreed to*.

Clauses 193—198, *postponed*.

Clauses 199 and 200, *agreed to*.

Clauses 201 and 202, *disagreed to*.

Clauses 203—206, *postponed*.

Part XV.:

Clause 138 ("Power to Borrow"), *postponed*.

Clauses 138—142, *postponed*.

Clauses 143 and 144, *agreed to*.

Clause 153, *withdrawn*.

On Clause 153A ("Power to use Redemption Fund instead of exercising Borrowing Powers"):

Mr. George Lloyd, sworn, and examined.

Clause 153A, *agreed to*.

Clauses 154 and 155, *disagreed to*.

On Clause 154A ("Provisions as to Raising Money by Bills"):

Mr. John E. Jarratt, sworn, and examined.

Mr. George Lloyd, recalled, and examined.

Clause, *agreed to*.

On Clauses 154B—154I:

Mr. John E. Jarratt and Mr. George Lloyd, recalled, and examined.

Mr. George F. Travis, sworn, and examined.

Clauses, *postponed*.

Clause 155, *withdrawn*.

Clauses 156—159, *agreed to*.

Part XVI. ("Thrift Fund"), *postponed*.

[Adjourned till Wednesday next, at Twelve o'clock.

Wednesday, 4th July 1900.

MEMBERS PRESENT:

Mr. REGINALD McKENNA in the Chair.

Mr. Wason.

Mr. Bill.

SOUTHPORT CORPORATION BILL—*continued*.

Postponed Part XVI. ("Thrift Fund"):

Clauses 160—167, *agreed to*.

Part XVII. ("Superannuation of Officers"):

Clause 168—173, *agreed to*.

Clause 174, amended, and *agreed to*.

Clauses 175—185, *agreed to*.

Clause 186, *disagreed to*.

New Clause 185A, *agreed to*.

On Postponed Part II. ("Acquisition of Lands"), and

Postponed Part III. ("Street Improvements and Works"):

Mr. Freeman, Q.C., was heard in support of so much of the Bill as was opposed by the Vicar and Churchwardens of Southport, and called evidence.

Mr. T. P. Griffiths, recalled, and examined.

Clause

Doctor *J. J. Weaver*, recalled, and Mr. *Richard P. Hurst*, sworn, and examined.

This was the case for the Promoters on the opposed portion of the Bill.

Mr. *Talbot* called evidence in support of the Petition of the Vicar and Churchwardens of Southport.

Alderman *Thomas Fisher*, sworn, and examined.

The Committee deliberated.

Question, That that part of the Preamble of the Bill which relates to the widening of Market Passage is proved,—put, and *negatived*.

Parties informed of this decision.

Further evidence in support of the Petition of the Vicar and Churchwardens, as far as it relates to Street Work, No. 3, in Clause 19 of the Bill, as to the proposed new footpath through the churchyard :

Rev. Canon *Honeyburn*, Mr. *John Hatch*, and Mr. *Thomas Adams*, sworn, and examined.

Mr. *Talbot* was heard to address the Committee in support of the aforesaid Petition.

Mr. *Freeman*, Q.C., was heard in reply.

The Committee adjourned for a short time.

On re-assembling, after the Adjournment, the parties were informed that the Committee would not sanction the proposed new footpath through the churchyard.

Mr. *Freeman*, Q.C., announced to the Committee that they had agreed on Clauses for their protection with the Trustees of the late Charles Scarisbrick, and with Charles Hesketh and others, and there was therefore no further opposition to the Bill.

Clauses considered.

Part II. ("Acquisition of Lands") :

Clauses 7 and 8, *agreed to*.

Clause 9, *withdrawn*.

Clause 10, *agreed to*.

Clauses 11 and 12, amended, and *agreed to*.

Clauses 13—17, *agreed to*.

On Clause 18 :

Mr. *T. P. Griffiths*, recalled, and examined.

Clause amended, and *agreed to*.

Part III. ("Street Improvements and Works") :

Mr. *Richard P. Hurst*, recalled, and examined.

Clause 19, amended, and *agreed to*.

Clause 19A, *agreed to*.

Clauses 20—22, and 24, *agreed to*.

Clause 23, *disagreed to*.

Clause 25, amended, and *agreed to*.

Postponed Part IV. ("Police and Fire Brigade Stations") :

On Clause 26 :

Mr. *T. P. Griffiths*, recalled, and examined.

Clause amended, and *agreed to*.

Part V. ("Parks and Recreation Grounds") :

Clause 27, amended, and *agreed to*.

[Adjourned till Thursday, at Two o'clock.]

Thursday, 5th July 1900.

MEMBERS PRESENT:

Mr. McKenna.
Mr. Wason.

Mr. Graham.

SOUTHPORT CORPORATION BILL—*continued.*

Clauses further considered.

Clauses 28—36, *agreed to.*

Clause 37, *disagreed to.*

On Postponed Part VI. ("Seashore"):

Mr. *Thomas P. Griffiths*, recalled, and examined.

Clauses 38, 39, and 39A, amended, and *agreed to.*

Postponed Part VII., Clause 40, amended.

Clauses 41 and 42, *agreed to.*

Clause 43, amended, and *agreed to.*

Clause 44, *agreed to.*

Clauses 45 and 46, amended, and *agreed to.*

Clause 47, *agreed to.*

On Clause 48 ("Amendment of Section 69 of Southport Improvement Act, 1871")

Mr. *Richard P. Hurst*, recalled, and examined.

Clause *agreed to.*

Clauses 49 and 50, amended, and *agreed to.*

On Clause 51:

Mr. *Richard P. Hurst*, further examined.

Clause amended, and *agreed to.*

Clause 52, *withdrawn.*

On Clause 53 ("As to lighting private streets"):

Mr. *Richard P. Hurst*, further examined.

Clause amended, and *agreed to.*

Clauses 54 and 55, *agreed to.*

Clause 56 ("Restriction as to above-ground wires"):

Mr. *Richard P. Hurst*, further examined.

Clause amended, and *agreed to.*

Clause 57, *agreed to.*

Clause 58, amended, and *agreed to.*

On Postponed Part VIII. ("Sanitary Provisions"):

Dr. *John Weaver*, recalled, and examined.

Clauses 59—63, *agreed to.*

Clause 64, amended, and *agreed to.*

Clause 65, *agreed to.*

Clause 66, *disagreed to.*

Clause 67, amended, and *agreed to.*

Clause 68, *agreed to.*

On Clause 69 ("Wilful damage to drains, waterclosets, &c."):

Dr. *John J. Weaver*, recalled, and examined.

Clause *agreed to*.

Clauses 70—73, amended, and *agreed to*.

Clauses 74 and 75, *agreed to*.

On Clause 76 ("Penalty for selling diseased food"):

Dr. John J. Weaver, further examined.

Clause *disagreed to*.

Clause 77 *disagreed to*.

Clause 78, amended, and *agreed to*.

On Clause 79 ("Summary power to provide sinks and drains for buildings")

Clause *agreed to*.

Clause 80 ("Covering of Ditches"):

Dr. John J. Weaver, recalled, and examined.

Clause *agreed to*.

Clauses 81 and 82, *agreed to*.

Clause 83 ("Cleansing of Cisterns"):

Clause amended, and *agreed to*.

Clause 84, *agreed to*.

Clauses 85 and 86, amended, and *agreed to*.

Postponed Clauses 138—141, *agreed to*.

Postponed Clause 142 ("Period of repayment for money borrowed"):

Clause *agreed to*.

Postponed Clauses 154B—154J, *agreed to*.

Part XVIII. ("Fire Insurance Fund"):

On Clause 187:

Mr. G. Lloyd, recalled, and examined.

Clause amended, and *agreed to*.

Postponed Clauses 193—198 and 203—206, *agreed to*.

Preamble read a second time.

Question, That the Preamble is proved,—put, and *agreed to*.

Parties informed of the decision of the Committee.

Part I. ("Preliminary"):

Clause 1, *agreed to*.

Clauses 2—4, amended, and *agreed to*.

Clauses 5 and 6, *disagreed to*.

Report read, and *agreed to*.

Ordered, To Report.

[Adjourned till Thursday next at Twelve o'clock, to consider Special Report, with Section A.
Vide Minutes of Evidence of Section A, for Thursday 12th July.]

REPORT

FROM THE

SELECT COMMITTEE

ON

POLICE AND SANITARY
REGULATIONS BILLS;

WITH THE

PROCEEDINGS OF THE COMMITTEE.

Ordered, by The House of Commons, to be Printed,
6 August 1900.

[Price 7d.]

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Under 7 oz.

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R E P O R T

FROM THE

SELECT COMMITTEE

ON THE

POST OFFICE SITES BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

AND

MINUTES OF EVIDENCE.

*Ordered, by The House of Commons, to be Printed,
2 July 1900.*

L O N D O N .

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1900.

POST OFFICE SITES BILL.

[Monday, 28th May 1900]:—READ a second time, and committed to a Select Committee of Five Members, Three to be nominated by the House and Two by the Committee of Selection.

Ordered,—THAT all Petitions against the Bill presented Five clear days before the meeting of the Committee be referred to the Committee; that the Petitioners praying to be heard by themselves, their Counsel, or Agents, be heard against the Bill, and Counsel heard in support of the Bill.

THAT the Committee have power to send for Persons, Papers, and Records.

THAT Three be the Quorum.—(Mr. Hanbury.)

Committee nominated of—

Sir John Colomb.	}	Nominated by the House. [Friday, 22nd June.]
Mr. Hanbury.		
Mr. Johnson-Ferguson.		
Lord Hugh Cecil.	}	Added by the Committee of Selection. [Friday, 22nd June.]
Mr. Joseph Richardson		
(Durham, S.E.).		

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R E P O R T.

THE SELECT COMMITTEE to whom the POST OFFICE SITES BILL was referred;—HAVE considered the said Bill and taken Evidence thereon, which they have agreed to Report to the House, and have gone through the Bill and made Amendments thereunto.

2 July 1900.

PROCEEDINGS OF THE COMMITTEE.

Monday, 25th June 1900.

MEMBERS PRESENT:

Sir John Colomb.
Mr. Hanbury.

Mr. Johnson-Ferguson.
Lord Hugh Cecil.

Resolved, That Mr. Hanbury be Chairman of the Committee.

The Committee deliberated.

[Adjourned till Monday, 2nd July, at Twelve o'clock.]

Monday, 2nd July 1900.

MEMBERS PRESENT:

Mr. HANBURY in the Chair.

Sir John Colomb.

Lord Hugh Cecil.

Agents for the Bill:—Messrs. *Wyatt & Co.*

Sir *Richard Wyatt* was heard in support of the Bill.

Sir *Robert Hunter* sworn, and examined.

Question, That the Preamble is proved,—put, and *agreed to*.

Clauses 1–5, *agreed to*.

Clause 6, amended, and *agreed to*.

Clauses 7–10, *agreed to*.

Clause 11, *struck out*.

New Clause 11, read, and *agreed to*.

Clauses 12–15, *agreed to*.

Question, That the Schedule stand part of the Bill,—put, and *negatived*.

Ordered, To report the Bill as amended, together with the Minutes of Evidence.

MINUTES OF EVIDENCE

Monday, 2nd July 1900.

MEMBERS PRESENT:

Lord Hugh Cecil.
Sir John Colomb.

Mr. Hanbury.

MR. HANBURY IN THE CHAIR.

Sir *Richard Wyatt.*] SIR, this being a hybrid Bill, it is treated somewhat differently to private Bills or public Bills, therefore, I may just state shortly what the object of the Bill is. I appear on behalf of the Postmaster General, with my friend Sir Robert Hunter, the Solicitor to the Postmaster General, to give any information that the Committee may desire in connection with the measure. The object of the Bill will be gathered from the recital in the preamble. "Whereas further accommodation for the purposes of the public service is required by the Postmaster General in London, Bristol, Ilford, Sheffield, and Southampton, and it is expedient that he be empowered to acquire certain lands and buildings in those places for the purposes

aforesaid." Those are the objects of the Bill. I need not tell honourable Members that, in cases of this kind, instead of the Bill being sent to the Chairman of Committees, it has to be referred to a Committee appointed partly by the House and partly by the Committee of Selection, hence the necessity for calling you together, although the Bill, I am glad to say, is now unopposed. I propose to adopt the course which we generally adopt in these hybrid Bills; there being no opposition, I propose simply to put Sir Robert Hunter into the box, and he will prove the recitals in the preamble, and then we will take your vote upon the preamble and afterwards proceed with the Clauses.

Sir ROBERT HUNTER, sworn; and Examined.

Sir *Richard Wyatt.*

1. You are the Solicitor to the Post Office?—I am.
2. You have read the recitals in the preamble of this Bill?—I have
3. Are they correct?—They are.

Sir *Richard Wyatt.*] It is now competent for the Committee to pass the preamble unless they desire any further information.

The preamble of the Bill was agreed to.

Sir *Richard Wyatt.*] We have now to go through the clauses *seriatim*. There are no alterations in Clauses 1, 2, 3, 4, and 5.

Clauses 1, 2, 3 4. and 5 were agreed to.

Sir *Richard Wyatt.*] It is proposed to insert the following proviso in Clause 6, after line 5, which will be Sub-Clause 2:—"Nevertheless nothing in this Act shall authorise the Postmaster General to stop up or close the public passage or footway between Lombard-street and

King William-street known as Post Office Court in the City of London."

4. Perhaps you will kindly state what that means, and say whether it is an agreed amendment?—That is a sub-clause which we have inserted at the request of the Corporation of London to make it quite clear that we do not intend to stop up the public passage there during the works or permanently. It is a purely negative clause which prevents our stopping up the passage. We did not intend to stop it up, but the Corporation wished to have it on the face of the Bill that it was not to be stopped up.

Sub-Clause 2 was agreed to.

Clause 6, as amended, was agreed to.

Sir *Richard Wyatt.*] Then Clauses 7, 8, 9, and 10 are without amendments.

Clauses 7, 8, 9, and 10 were agreed to.

Sir *Richard Wyatt.*] As to Clause 11, it is proposed to strike it out and insert the manuscript clause for the protection of the London and

2 July 1900.]

Sir ROBERT HUNTER.

[Continued.]

and South Western Railway Company, and it is an agreed clause.

The *Witness*.] The object of that alteration is that it has been found not necessary to have a special agreement with the London and South Western Railway Company which should be scheduled to the Bill. We shall make an agreement with them, but it is not necessary to schedule it. But they require that they should have a right of pre-emption reserved to them in case the Post Office at any future time do not wish to use this site and wish to get rid of it. The site is part of the dock premises of the London and South Western Railway Company, and they want to have the right to buy it back if the Post Office have no longer any use for it. The clause is verbally precisely the same as a

clause which we inserted in a Post Office Sites Bill of 1897 in which they took another piece of the dock premises.

New Clause 11 was agreed to.

Sir *Richard Wyatt*.] Clauses 12, 13, 14, and 15 are without alteration.

Clauses 12, 13, 14, and 15 were agreed to.

The *Witness*.] The schedule can now be struck out.

This was agreed to.

The Witness was directed to withdraw.

The Chairman was directed to report the Bill, as amended, to the House.

REPORT

FROM THE

SELECT COMMITTEE

ON THE

POST OFFICE SITES BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

AND

MINUTES OF EVIDENCE.

*Ordered, by The House of Commons, to be Printed,
2 July 1900.*

[*Price 1d.*]

R E P O R T

FROM THE

JOINT SELECT COMMITTEE OF THE HOUSE OF LORDS AND
THE HOUSE OF COMMONS

ON THE

QUEEN ANNE'S BOUNTY BOARD;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

M I N U T E S O F E V I D E N C E,

APPENDIX AND INDEX.

*Ordered, by The House of Commons, to be printed,
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1900.

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QUEEN ANNE'S BOUNTY BOARD.

Ordered,—[27th June 1900]:—THAT a Select Committee of Five Members of this House be appointed to join with a Committee of the Lords to consider the constitution of Queen Anne's Bounty Board, and to report whether economy and efficiency of administration would be promoted by any change in its constitution or by its amalgamation with any other body.

THAT a Message be sent to the Lords to acquaint them therewith, and to request that their Lordships will be pleased to appoint an equal number of Lords to be joined with the Members of this House.

THAT the Committee have power to send for persons, papers, and records.

THAT Three be the quorum.—(Sir William Walbrond.)

[3rd July 1900]:—Message from the Lords,—That they have appointed a Committee consisting of Five Lords to join with a Committee of the Commons (pursuant to Message of this House) to consider the constitution of Queen Anne's Bounty Board, and to report whether economy and efficiency of administration would be promoted by any change in its constitution or by its amalgamation with any other body.

Ordered.—That Sir William Anson, Mr. Humphreys-Owen, Mr. W. F. D. Smith, Mr. Stevenson, and Mr. Stuart-Wortley be members of the Joint Committee on Queen Anne's Bounty.—(Sir William Walbrond.)

[5th July 1900]:—The Lords following were named of the Committee to join with the Committee of the House of Commons to consider the constitution of Queen Anne's Bounty Board, and to report whether economy and efficiency of administration would be promoted by any change in its constitution or by its amalgamation with any other body, viz.:

Lord Privy Seal (Viscount Cross.)
Earl Aberdeen.
Lord Bishop of London.

Lord Barnard.
Lord Ashcombe.

Ordered, That such Committee have power to agree with the Committee of the House of Commons in the appointment of a Chairman.

[6th July 1900]:—Message from the Lords,—That they propose that the Joint Committee appointed to consider the constitution of Queen Anne's Bounty Board, and to report whether economy and efficiency of administration would be promoted by any change in its constitution or by its amalgamation with any other body, do meet in Committee Room 1A on Monday next, at half-past Three of the clock.

So much of the Lords' Message (this day) as relates to the time and place of meeting of the Joint Committee on Queen Anne's Bounty Board, *considered*:—

Ordered, That the Committee of this House do meet the Lords Committee as proposed by their Lordships.

Message to the Lords to acquaint them therewith.—(Sir William Walbrond.)

R E P O R T.

THE SELECT COMMITTEE appointed to join with a Committee of the House of Lords to consider the constitution of **QUEEN ANNE'S BOUNTY BOARD**, and to report whether economy and efficiency of administration would be promoted by any change in its constitution or by its amalgamation with any other body ;—
HAVE agreed to the following **REPORT** :—

THAT the Committee have met and have examined the Chief Clerk to Queen Anne's Bounty Board.

They have received a unanimous resolution of the Board requesting that time may be given for the preparation of the evidence which the Board desire to present to the Committee.

The Committee think that this request is a reasonable one.

The Committee state that they entirely agree with the following resolutions of the Court of Queen Anne's Bounty Board :—

(A.) That as a Parliamentary Committee has been appointed to consider the constitution and position of Queen Anne's Bounty, this Court does not think it desirable at the present moment to recommend to the Crown a division of the office of Treasurer and Secretary.

(B.) That the Court recommend that a provisional appointment be made to the joint office.

Considering the late period of the Session, the Committee find that it would not be possible to satisfactorily conclude their inquiry during the present Session. They therefore recommend the re-appointment of the Committee early in the next Session of Parliament.

16 *July* 1900.

PROCEEDINGS OF THE COMMITTEE.

Monday, 9th July 1900.

PRESENT :

Lord Privy Seal (Viscount Cross).
Viscount Gordon (Earl of Aberdeen).
Lord Bishop of London.
Lord Barnard.
Lord Ashcombe.

Mr. Stuart-Wortley.
Mr. W. F. D. Smith.
Mr. Stevenson.

The Orders of Reference were read.

The LORD PRIVY SEAL was called to the Chair.

Course of Proceeding considered.

Ordered, That the Committee be adjourned to Monday next, at Half-past Eleven o'clock.

Monday, 16th July 1900.

PRESENT :

LORD PRIVY SEAL (Viscount Cross) in the Chair.

Lord Bishop of London.
Viscount Gordon (Earl of Aberdeen).
Lord Barnard.
Lord Ashcombe.

Sir William Anson.
Mr. Stuart-Wortley.
Mr. W. F. D. Smith.
Mr. Humphreys-Owen.
Mr. Stevenson.

Mr. *W. R. Le Fanu* was examined. (*Vide Evidence.*)

The Course of Proceedings further considered.

DRAFT SPECIAL REPORT brought up by the *Chairman*, and read the first time, as follows :—

“ THAT the Committee have met and have examined the Chief Clerk to Queen Anne’s Bounty Board.

“ They have received a unanimous resolution of the Board requesting that time may be given for the preparation of the evidence which the Board desire to present to the Committee.

“ The Committee think that this request is a reasonable one.

“ The Committee state that they entirely agree with the following resolutions of the Court of Queen Anne’s Bounty Board :—

“ (A.) That as a Parliamentary Committee has been appointed to consider the constitution and position of Queen Anne’s Bounty, this Court does not think it desirable at the present moment to recommend to the Crown a division of the office of Treasurer and Secretary.

“ (B.) That the Court recommend that a provisional appointment be made to the joint office.

“ Considering the late period of the Session, the Committee find that it would not be possible to satisfactorily conclude their inquiry during the present Session. They therefore recommend the re-appointment of the Committee early in the next Session of Parliament.”

Question, That the DRAFT REPORT proposed by the *Chairman* be read a second time paragraph by paragraph,—put, and *agreed to*.

DRAFT REPORT, *agreed to*.

Ordered, To Report.

MINUTES OF EVIDENCE.

LIST OF WITNESSES.

Die Lunæ, 16° Julii 1900.

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Die Lunæ, 16^o Julii 1900.

PRESENT :

Lord PRIVY SEAL (VISCOUNT CROSS).
Earl of ABERDEEN.
LORD BISHOP OF LONDON.
Lord BARNARD.
Lord ASHCOMBE.

Sir WILLIAM ANSON.
Mr. HUMPHREYS-OWEN.
The Hon. W. F. D. SMITH.
Mr. STEVENSON.
Mr. STUART-WORTLEY.

THE VISCOUNT CROSS IN THE CHAIR.

MR. W. R. LE FANU, is called in ; and Examined, as follows :

Chairman.

1. You are, I believe, at the present moment Chief Clerk to the Governors of Queen Anne's Bounty ?—I am.

2. The late Secretary, I think, died some time ago ?—He died on the 25th of May.

3. He was the Secretary and Treasurer ?—He was the Secretary and Treasurer ; it is a combined office.

4. Since his death you have been carrying on his duties ?—I have been carrying on the duties of the office under the direction of the Governors.

5. The office of secretary and treasurer is appointed to by the Crown ?—By the Crown. By the first Charter the appointment was in the Governors, but by the second Charter, which was about 10 years later, the appointment was taken back to the Crown ; and the office is held during the pleasure of the Crown.

6. It is necessary that there should be a secretary, or somebody carrying on his duties, because he has to collect the First Fruits and Tenths, has he not ?—The Secretary and Treasurer, I should say, was appointed the sole collector of First Fruits and Tenths by the Act of the 1st of the Queen, Chapter 20. The First Fruits and Tenths Offices before that time were separate offices altogether : they were branches of the Exchequer ; they were amalgamated under that Act with the Queen Anne's Bounty office ; and the Treasurer of the Governors was made the sole collector of First Fruits and Tenths under the Crown. The Act specified that certain notices must be sent out by the treasurer between the months of September and December, and without these notices the enforcements of the collection of First Fruits and Tenths cannot be carried out.

7. Therefore it is quite necessary that some appointment should be made before that date ?—That is the view of the Governors.

8. I believe you have prepared a general statement as to the constitution and management of the Board ?—I have.

(0.33.)

Chairman—continued.

9. On lines similar to the paper handed in to the Select Committee of 1868 by Mr. Aston ?—Yes, I have brought it up to date. I have had that statement printed and will hand in copies (*handing in the same*).

10. Have you brought a copy of Mr. Aston's evidence in 1868 ?—I have got several copies of it.

11. Will you hand in a copy, and we will have it printed in the appendix ?—Yes. (*The same was handed in.*)

12. Now, will you tell us with regard to the constitution of the Board beginning with the Act 2nd and 3rd of Queen Anne, Chapter 11 ?—That Act gave power to the Queen to incorporate a body for the purpose of receiving the revenue of First Fruits and Tenths which then belonged to the Crown, and also to accept gifts of land, and so on, without license in mortmain. Then by the first Charter of November, 1704, the body was incorporated, and a large number of governors was appointed. A large number of the leading churchmen and laymen of the day, and those who should fill the same offices hereafter, were appointed to be governors, to receive and manage this fund from First Fruits, and Tenths, and the various other gifts referred to. The Charter also contained a power to elect as governors persons who give benefactions to the poorer clergy.

13. Now, will you go to the second Charter of the 5th March, 1712 ?—That added certain further official governors, and it made certain rules for the management and disposition of the Fund by the governors. In the time between the two Charters there had been no revenue coming in to the Governors, because they had been employed in paying off the charges which then existed upon the First Fruits and Tenths, so that they began their work about 1712, when the second Charter provided certain rules for that purpose.

14. Reserving power to alter those rules from time to time, and make fresh ones ?—Yes.

A 2

15. The

16 July 1900.]

Mr. LE FANU.

[Continued.]

Chairman—continued.

15. The rules were all made under the Great Seal?—They were all made under the Great Seal. They were part of that Charter.

16. Now, will you come to the Act of George I. chapter 10, section 3?—That Act provides for a large number of matters connected with the Bounty. Among other things it provided that rules for the future, if made under the Royal Sign Manual, should have the same force as if made under the Great Seal. Perhaps it would be convenient if I handed in copies of the charters and of the rules which have been made.

17. Will you hand in copies of the charters and the rules?—Yes, these are the charters and the rules under the Sign Manual (*handing in the same*).

18. The next Act which affects the Bounty Board is the first of the present reign, 1 Victoria, chapter 20?—Yes. That Act, as I said, abolished the offices of First Fruits and Tenths, which were separate branches of the Exchequer, and made the Treasurer of the Governors the sole collector of First Fruits and Tenths. Before that Act he had to go to the Exchequer to get the money from the Exchequer after they had collected it.

19. You will be able later on to refer to the other statutory duties and powers imposed and conferred upon the Board?—Yes, I think it would come more conveniently later on in my evidence.

20. Would you tell us who are the present Governors of Queen Anne's Bounty?—The present Governors are the Archbishops of Canterbury and York and the Bishops of Sees within these provinces except the Bishop of Sodor and Man; the Deans of the Cathedral Churches within England; the Speaker of the House of Commons; all the Privy Councillors; the Lords Lieutenant of the several counties in England and Wales; the *Custodes Rotulorum* of the several counties in England; the Lord Chief Justice and the several Judges of the Queen's Bench; the Master of the Rolls; the Queen's Serjeants at Law; the Attorney and Solicitor General; the Queen's Advocate; the Queen's Counsel in the Law; the Chancellors and the Vice-Chancellors of the two Universities; the Lord Mayor and Aldermen of the City of London; the Lord Mayor of the City of York, and the mayors of the respective cities within the kingdom of England; the officers of the Board of Green Cloth, the Clerks of the Privy Council, and certain Governors, not a large number, who have been from time to time elected under the power I referred to before in the first Charter to elect persons contributing to the Augmentation of the Maintenance of Poor Clergy.

21. How many members of the Board are there at the present moment?—I have not made an exact computation—it is difficult to say exactly, because some of the Privy Councillors are also Lords Lieutenant, so that it is not very easy to get the exact number, but I think there must be about 650. There were about 200 at the date of the original Charter; the estimated list in 1868 was something over 580, and the number of Queen's Counsel has increased considerably since then.

Chairman—continued.

22. The first Charter contains a direction as to the summoning of the General Court of Governors?—Yes; it is to be summoned by 14 days' notice "in the 'Gazette' or otherwise."

23. Are notices given accordingly?—Yes, notice is always given in the "London Gazette."

24. But no notice is given to members of the court individually?—Not to each member, but to certain members of the court. The only notice given to all the Governors is the notice in the "Gazette" under the Charter.

Mr. Stuart-Wortley.

25. Of which meetings are you speaking?—Of all the meetings of the Court.

Chairman.

26. In addition to that notice, are the dates of the meetings of the General Courts, and of the regular Committees for the year, arranged at a General Court?—They are fixed once a year, and printed on a card, which is sent to those Governors whose names are on what I should describe as the summons list; that is all the Governors who regularly attend, and any Governor who has a desire to attend.

27. So that unless a Governor lets you know that he wishes to attend he knows nothing at all about the dates of the meetings?—In the case of Bishops, when there is a new Bishop a card is sent to him as a matter of course, but not in the case of other Governors. I have one of those cards here. [*Handing in the same.*]

28. How many persons do you send these notices to?—On the present list there are about fifty-two.

29. How are they selected, or elected, or chosen?—That list comprises all the Archbishops and Bishops, and certain other Governors from time to time; if, for instance, a Governor says he wishes to attend, notices are sent to him. He may make that request through another Governor who is in the habit of attending, or he may do so of his own motion by applying direct to the Secretary and Treasurer.

30. Otherwise you only send to the select number on the summons list?—Yes, there are fifty-two at present on the summons list. The number varies from time to time.

31. To that select number printed notices of each general Court and each Committee are sent?—Yes, I have cards of those printed notices, if I might be allowed to put them in. [*Handing in the same.*]

32. If there is any special business to be brought on, I presume the nature of the business is put down on the notice?—Yes, that is put on the back of the notice.

33. How long before the meeting is that notice sent out?—A week before the meeting.

34. Have you got a copy of the list of persons to whom the notices are sent?—Yes.

35. Will you read it and hand it in?—This is the present "Summons List" of Governors. First those on the Board, Standing, and Finance Committee (that is, those that are on all three) are the Bishop of London, the Bishop of Winchester

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chester, the Bishop of Chichester, the Bishop of Oxford, the Bishop of Southwell, the Bishop of Ely, the Bishop of St. Albans, Lord Clinton, Lord Egerton of Tatton, Lord Ashcombe, Lord Glanusk, Right Honourable Sir R. W. Thompson, K.C.B., Cyril Dodd, Esquire, Q.C., Charles Gould, Esquire, Q.C., Alderman Sir J. W. Ellis, Bart., M.P., Alderman Sir Joseph Savory, Bart., M.P., Alderman Sir Walter Wilkin, James Cropper, Esquire, and J. S. Gilliat, Esquire, M.P. Then on the Board and Standing Committee there are the Bishop of Rochester, and the Bishops on rota for the day. Then on the Board, besides those I mentioned, are the Archbishop of Canterbury, the Archbishop of York, the Bishop of Durham, the Bishop of Gloucester, the Bishop of Llandaff, the Bishop of Ripon, the Bishop of Lincoln, the Bishop of Exeter, the Bishop of Salisbury, the Bishop of Manchester, the Bishop of Chester, the Bishop of St. Asaph, the Bishop of Worcester, the Bishop of Truro, the Bishop of Lichfield, the Bishop of Carlisle, the Bishop of Norwich, the Bishop of Bath and Wells, the Bishop of Hereford, the Bishop of Newcastle, the Bishop of Peterborough, the Bishop of St. Davids, the Bishop of Bristol, the Bishop of Wakefield, the Bishop of Bangor, the Bishop of Liverpool, the Dean of Chichester, the Lord Mayor, by his Sword Bearer, Sir Kenneth Muir Mackenzie, Q.C., K.C.B., Alderman Sir H. E. Knight, Sir W. J. R. Cotton, and Mr. Alderman Vaughan Morgan.

36. I believe each Bishop is asked annually to state at which of the general Courts his attendance may be expected?—That is so.

37. Is the same done with regard to the other members?—No; except that they are informed if they are put upon one of those special committees.

38. If any Governor, not on the Summons List, wishes to have regular notices, has it been the practice that he should, either himself or through some Governor in the habit of attending, request the Secretary and Treasurer to send in such notices for the future?—Yes.

39. Otherwise he would never get any notice at all?—He would only get the notice in the "Gazette."

40. I believe under 1 Victoria, Chapter 20, Section 17, you may have an Extraordinary General Court?—Yes, that is summoned every year between February and July? It, in fact, does the ordinary business, but it is summoned as an Extraordinary General Court.

41. That is done by fourteen days' notice in the "London Gazette"?—Yes.

42. That additional notice also being sent to those Governors who are on the Select List?—Yes, on the Summons List.

43. And to nobody else?—And to nobody else.

44. Are Special General Courts sometimes summoned by the direction of a General Court, or, if necessary, by the Archbishop of Canterbury?—That is so. There have been one or two lately since Mr. Aston's death.

45. Special Committees are summoned by the Secretary and Treasurer on the direction of the Chairman of the Committee?—That is so.

Lord Bishop of London.

46. You spoke about the rota of Bishops. Can you tell me why that rota of Bishops was established?—I do not think I can say why. I have not looked into the origin of the rota being established.

47. Was it, do you think, with a view to securing a quorum?—I think not, because I do not think it existed before 1868, and since 1868 there has practically never been a failure as regards quorum. I think it was in order that the Bishops should be there for the Standing Committee when the mortgages to the clergy are considered, but I cannot answer the question positively.

48. That is to say, on the ground of their special knowledge of the particular business?—Yes.

49. You think it was for no other reason than that?—I cannot answer yes or no to that question, for I have not looked into the point.

Lord Ashcombe.

50. In practice has there been any inconvenience felt from the very large number of governors who are entitled to attend?—I think never.

51. They are mostly gentlemen who are very much occupied? Yes, most of them.

52. And advanced in life?—Most of them.

53. Therefore is it difficult sometimes to get a sufficient number to attend, especially for the financial business of the Board?—I do not think there has been any difficulty in getting a sufficient number.

54. What I mean is that special application has sometimes been made to a gentleman to ask if he will attend?—That is so.

Lord Barnard.

55. With regard to one point in the earlier part of your evidence, I should like to ask, what is the proper title of the Corporation of Queen Anne's Bounty?—It was incorporated by the name of "The Governors of the Bounty of Queen Anne for the Augmentation of the maintenance of the poor Clergy"—that is the full title.

Mr. W. F. D. Smith.

56. Is notice ever given to an individual of the fact of his becoming a Governor of Queen Anne's Bounty—for instance, by becoming a Queen's Counsel?—I think no notice of that sort has ever been given.

57. You say that about 52 are summoned now?—Fifty-two is the number on the Summons List at present.

58. Did I understand you, in answer to a question put by the Lord Bishop of London, to say that since 1868 there had been no difficulty in forming a quorum?—There have been only four failures to form a quorum since 1870. I think there was one within the last five years, but there has been none within the last three years.

Mr. Humphreys-Owen.

59. Could you tell me why the *custodes rotulorum* of the counties in Wales were omitted from the list of Governors? I cannot; I do not know what the reason was.

60. I notice that there are a considerable number of members of the Corporation of the City of London on the Board—possibly a rather disproportionate

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Mr. Humphreys-Owen—continued.

disproportionate number; can you say whether that is owing to the Corporation having given benefactions to the fund, or is it simply because they happen to be resident in London?—It could not be because they had given benefactions, because they were appointed Governors by the Charter before any benefactions had been given; so that it must have been owing to the fact of their nearness, or their importance at the time.

Sir William Anson.

61. You say you have no great difficulty in getting a quorum; do you get uniformity of attendance—that is to say, do a certain group of people regularly attend, or do you get different people from time to time?—The attendance among the Bishops would be from time to time—that is to say, certain of them attend almost all Boards, and the others almost all attend some Boards; but among the laymen who attend there is pretty regular attendance; they attend almost every meeting.

62. Then it includes a certain number of persons who give regularity of attendance to the business of the Board?—Yes.

Lord Bishop of London.

63. I see by the statement you have put in certain Governors may be elected by the Board?—Yes.

64. Are there any Governors at present who have been so elected?—Mr. John Gilliat, M.P., is a Governor so elected.

65. Is there any other?—I think Mr. Cropper, who was formerly the member for Kendal, was so elected.

66. Was there any special reason why they were so elected?—They had both given benefactions to livings—I cannot remember whether Mr. Cropper was elected in regard to any special business; Mr. Gilliat was elected at the time that he was Governor of the Bank of England, in respect of some large financial transactions.

67. He was elected on the Board in order that they might have the benefit of his advice?—Yes.

68. So that the power has been exercised to elect Governors to advise on particular points upon which they were specially qualified?—That is so.

Mr. W. F. D. Smith.

69. Could you tell us how many laymen attend as a rule?—I have a list of attendances, which I propose to put in later on.

Chairman.

70. I am coming to that point of attendance in the next head of your evidence, which is as to the statistics of attendance and agenda. You have, I believe, two alternative quorums?—Yes.

71. Will you just explain what is meant by that?—Under the first Charter there was a quorum of seven Governors, of whom three should be an Archbishop or a Bishop, a Privy Councillor, and a Judge, or Queen's Counsel. It was found, apparently, difficult to get that, and then, under the second Charter, it was provided that seven Governors should form a quorum, of whom one must be an Archbishop or Bishop, a Privy

Chairman—continued.

Councillor, or a Judge or Queen's Counsel. That quorum is still sometimes utilised—that is to say, seven Governors, one of whom should be an Archbishop or Bishop, a Privy Councillor, or a Judge or Queen's Counsel. Then, under the 28th and 29th of the Queen, chapter 69, another quorum was provided. It was said that the Governors might do their business if there were five Governors present instead of seven if three of those five were Archbishops or Bishops.

72. Which of those two is your present quorum?—Sometimes one and sometimes the other.

73. Who chooses which it is to be?—If there are seven Governors present, of whom one is an Archbishop or Bishop, a Privy Councillor or a Judge or Queen's Counsel, that will do, but if there are less than seven—if there are five—there must be three Bishops.

74. Then is it just a matter of chance which quorum you go by?—It is very seldom that there are less than seven persons, so that the latter quorum very seldom has to be used, but I think it has been used once or twice.

75. It would appear from the report that at one time at all events there was great difficulty in getting a quorum from the general rota?—Yes—that appears from the evidence and the report of the Select Committee in 1868. There were numerous failures and the work was done by the Governors, who came together to form a meeting, and if there was not a quorum the work was done by those at the meeting as a Committee and approved by the next General Court. That occurred very frequently before 1868.

76. Since the year 1870 have you often had failures to make a quorum?—Only in four cases.

77. There have been four cases have there?—There have been four cases since 1870 of failures to form a quorum.

78. Latterly have you had any difficulty?—There have been none in the last three years for which I got out a return, but I think there was one case of failure about five years ago.

79. Prior to 1868, at which time there was an inquiry before a Committee of the House of Commons, the attendances were almost altogether that of the Bishops?—That is so—that is stated in the report of that date.

80. The laymen have come up to their duties since then better than they did before?—That is so—the report urged that the laymen should attend, and I think in consequence of that they did.

81. You think it is in consequence of the recommendation of the report of that Select Committee that the laymen have attended to their duties better?—I think so. I find in the correspondence after that date there was evidently an attempt made to get the laymen to attend.

82. Can you give us the attendance in the three years—1897, 1898, and 1899?—Yes; I have got out the attendances for those years. In the three years there were 28 general courts and 317 attendances, that is an average attendance of 11.32. Of those 317 attendances 130 were episcopal and 187 were lay.

83. Then as regards the meeting of the Standing and General Purposes Committee what were the figures?—There were 30 meetings of the Standing

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Standing and General Purposes Committee and 253 attendances, that is an average attendance of 8.43. Of the 253 attendances 86 were Episcopal and 167 were lay.

84. As regards the Finance and Audit Committee, what were the figures?—There were 32 meetings of the Finance and Audit Committee and 199 attendances, which gives an average attendance of 6.22. Of the 199 attendances 41 were episcopal and 158 were lay. I have made out a return showing the attendances of each governor in the same form as the return which was handed in in 1868.

85. Will you put that in?—Yes. (*Handing in the same.*)

86. Many of the lay Governors are very regular in their attendance, are they not?—Yes. That will appear from the return I have just handed in; some of them hardly miss any meetings.

87. Have you had a layman as Chairman of the Finance and Audit Committee?—A layman has always been chairman of the Finance and Audit Committee almost since its inception—for the last 20 years certainly.

88. The last four chairmen, I see, have been the late Duke of Buckingham and Chandos, the late Lord Powis, Lord Clinton, and Lord Ashcombe?—That is so.

89. Special committees and sub-committees are frequently appointed for the consideration of special matters?—Yes.

90. Now with regard to the agenda, printed agenda are prepared for each of the principal committees and of the general courts?—That is so.

91. Have you got a specimen agenda paper?—I have a specimen agenda paper for one of the meetings this year.

92. Will you put it in?—Yes. [*The same was handed in.*]

93. How are the decisions of the meeting recorded?—They are recorded by the chairman on the margin that is left for him on the printed agenda and they are also recorded by the secretary and treasurer on the margin of his copy of the printed agenda. Those two records are compared, and if there is any difference between them the chairman is asked as to the point. The minutes are made up from these two copies of the agenda, which are kept and bound in case of any question arising.

94. The formal minutes are made from those copies?—Yes.

95. Are those minutes printed?—Those minutes are printed.

96. Are they circulated?—They are circulated to the Governors on the Summons List.

97. They are not circulated to the ordinary Governors, but only to those on the selected list?—Yes, 52 copies would now be sent out to the Governors.

98. How many times during the year do the Finance Committee meet?—They meet every month except September and October; and I think this year they did not meet in January.

99. At what hour do they meet?—They generally meet on the same day as the Board meets, but at an earlier hour. The Finance Committee meet at half-past one or at one if there is special

Chairman—continued.

business before it, and the Standing Committee meets at two, and the Board meets at a quarter to three—that is the usual practice.

100. Do the meetings of the Board take long generally?—The meetings of the Board generally take from an hour to an hour and a quarter—sometimes longer. I have known them last two hours.

Mr. Stevenson.

101. You divided the attendance into Episcopal and lay attendance; where do the Deans come in?—I think in the last three years there has been no attendance on the part of the Deans.

102. Are notices sent to all the Deans?—No. I think the Dean of Chichester is the only Dean on the present list—the late Dean of Exeter had notices, but I do not think he has attended for the last three years.

Mr. Humphreys-Owen.

103. Do you even find difficulty in consequence of discrepancies between the draft minutes and the final minutes as settled?—I do not think I have known any case of difficulty in the last five years. I think I have known of one case in which Mr. Aston had some difference between his note of the matter and the Chairman's note. I forget exactly what it was.

104. Did it go so far as to make it necessary to have a discussion as to the accuracy of the minutes?—No, it was something quite trivial, such as to whether a loan was lent for ten years or for twelve years, Mr. Aston's note was one and the Chairman's note was the other, or something like that.

105. Has this practice of keeping draft minutes on the printed agenda been deliberately entered upon?—The practice with regard to the printed agenda was deliberately adopted I think over twenty years ago. I could not exactly say at what date.

Mr. W. F. D. Smith.

106. Do you ever get a request from individual Governors to be summoned for one meeting?—I do not remember any such request.

Lord Barnard.

107. Have these committees which you spoke of been created in recent years?—The Finance Committee was created first as an Audit Committee in the year 1872; then it became a Finance Committee in 1875. The Standing Committee was created, I think, about the same time; but I cannot answer accurately.

108. Were they created under any statutory power or under powers given by the Charter or as a matter of convenience?—The first Charter contains power for the Governors to appoint any such committees as they think necessary to carry out their business, and it is under that power that they appoint these committees.

Lord Ashcombe.

109. As to the Finance Committee, you mentioned that the practice was to meet once a month?—Yes.

110. There

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Lord Ashcombe—continued.

110. There are occasions when it is specially summoned in the interval if special business arises?—That is so.

111. In addition, is there not a sub-committee of the Finance Committee to deal at once with any question that requires immediate decision?—Yes.

112. Will you tell us who are the present members of the sub-committee of the Finance Committee?—The present members of the sub-committee of the Finance Committee are the Chairman Lord Ashcombe, Sir Ralph Thompson, and Mr. Gilliat.

113. They have powers to act, but they always report what they have done at the next meeting of the Finance Committee, and, if they have acted in an emergency, they get their action endorsed by the Finance Committee?—That is so.

The Lord Bishop of London.

114. The rota which is sent to the Bishops appears from what you have said, probably to have for its object that of securing the attendance of three Bishops; is that so?—That may have been the reason of it.

115. As a matter of fact, do you try to secure the attendance of three Bishops?—Yes.

116. With a view to securing the necessary quorum most easily?—Yes.

117. Who is the chairman of the Standing Committee?—The chairman of the Standing Committee is at present the Bishop of London, and I think it always is the Bishop of London.

118. Who is the Chairman of the General Court?—The Archbishop of Canterbury, if he is present, and if he is not, the senior Bishop present.

119. I understand you to say that the minutes of each Court are printed?—Yes.

120. Is that in your opinion necessary?—Quite necessary; I do not think we could transact the business of the office if the minutes were not printed—it is very inconvenient even now when one has to look back to things which happened before the time when the minutes were printed.

121. You think it is necessary for convenience of reference?—Yes, for reference which has constantly to be done in the work of the office.

122. Of course you are aware that all offices do not find it necessary to have their minutes printed?—I can only say that I think we should find it rather difficult if we had not ours printed.

123. The business as put before both the General Court and the Standing Committee is also put before every member thereof in a printed form, is it not?—Yes, he has the printed agenda which show certain heads of information.

124. And you think it necessary that that information should be given?—I think so, I think it saves a great deal of time.

125. You do not think the system adopted is unnecessarily complicated?—I think not. In fact, there have been requests from the governors within the last five years that more information rather than less should be put upon this paper.

126. Would you be prepared to give us some time an estimate of the cost which the simple

The Lord Bishop of London—continued.

printing necessary for these meetings involves? I could get that.

Chairman.

127. Will you get that information for us if you please?—Yes, I understand you to mean including the minutes also.

Lord Barnard.

128. You mentioned the attendances of governors at the meeting. I should like to ask, do many governors attend at the office, or correspond with you on the business of the offices at other times?—The Chairman of the Finance Committee is referred to between the Boards, not daily, but constantly, on various matters connected with finance, and if there is anything out of the ordinary, the Archbishop of Canterbury would correspond with us. For instance, to take the present time. I have seen him between each Board, perhaps twice since Mr. Aston's death.

Lord Ashcombe.

129. The printed paper of Agenda is sent to any Governor who desires it before the meeting, is it not?—That is so, the day before.

The Lord Bishop of London.

130. It is not uncommon, is it, for the General Board to appoint one of its members who may confer with the secretary about a particular business either of a special or a general character?—That is so.

Mr. Humphreys-Owen.

131. Are these printed copies of the Agenda or minutes marked "confidential"?—No, they are simply marked "Agenda."

132. As a matter of fact questions occasionally arise, I suppose, affecting individuals which might give rise to inconvenience if published?—There are such questions as to whether a clergyman should be pressed for the payment of money owing by him which might give rise to inconvenience. But as to whether they should be marked "confidential," the minutes bear on their face that they are confidential documents, and it was thought unnecessary to mark them "confidential," I think.

Chairman.

133. Now we come to the position of the Secretary and Treasurer and of the staff in general. Under the first charter there was appointed a Secretary and also a Treasurer?—Yes; there were two officers appointed, one to be Secretary and one to be Treasurer.

134. And that charter gave the Governors the power to fill those offices when they should become vacant?—Yes.

135. Had those officers to take any oath when they were elected?—They had to take an oath. The Secretary and Treasurer has to take an oath for the faithful discharge of his duties.

136. Has the Treasurer to give security?—Yes.

137. To what amount?—The security given by the late treasurer was his own bond for 6,000*l.*, and two or more sureties in 6,000*l.*, and the auditor has each year to report on the satisfactoriness of these securities.

138. Those

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Chairman—continued.

138. Those officers at that time held office during the pleasure of the Corporation, did they not?—Yes.

139. By the second charter an alteration was made in that?—Yes, by the second charter the officers were to hold during the pleasure of the Crown instead of during the pleasure of the governors, and it was provided that the appointments, whenever there should be vacancies, should be made by the Crown and not by the governors.

140. That, I presume, is always done?—That is always done, but it has been the practice on each occasion for the governors to recommend someone as a fit and proper person, and that person has always been appointed by the Crown.

141. He has always been appointed, has he?—Always.

142. Now, these offices of secretary and treasurer are united?—Yes, they are united by rule under the Royal Sign Manual in 1831.

143. Was that after inquiry in the House of Commons?—No, it was before the inquiry of the Select Committee. They were united, as stated in the Sign Manual, "on the grounds of economy and convenience to the clergy." I think the treasurer at that time lived in the City and the secretary was at the Bounty office, so far as I can make out from the old records.

144. Where has the secretary been living since?—The secretary and treasurer has lived in the official premises in the Bounty office. I think the secretary always lived there.

145. Now, there was an enquiry was there not in 1837 into the offices of First Fruits and Tenths and Queen Anne's Bounty?—There was an inquiry by Parliament.

146. Those three were then three distinct offices?—Yes, the First Fruits office and the Tenths office were both of them branches of the Exchequer. They collected the First Fruits and the Tenths and the governors then got them from the Exchequer and distributed them.

147. At that time those two branches were branches of the Court of Exchequer?—They were.

148. What was left to the control of the governors at that time?—The distribution of the fund when they had got it from the Exchequer.

149. Then what happened by the Act of the 1st of the Queen, chapter 20?—The offices of First Fruits and Tenths were abolished; they were found to have considerably oppressed the clergy in those offices. And the treasurer for the time being of the governors was made sole collector of the First Fruits and Tenths under that Act—that Act preserved all the powers which the officers of the Exchequer had for the purpose of getting in the money and those powers are still used—that is the Exchequer powers now transferred to the Queen's Bench Division are still used by the treasurer for certain purposes.

150. Have they often to be put in force?—They have to be put in force every year for the purpose of getting the returns from the bishops of the institutions of the clergy. Half-yearly a writ is issued from the Queen's Bench Division to each bishop requiring him to make a return (0.33.)

Chairman—continued.

of all the institutions in his diocese during the half year. Sometimes they have to be put in force for the recovery of the sums, but not very often.

151. As the collector of First Fruits and Tenths, is he directed to account?—He is directed to account to the Governors for the sums collected in the same way as he would have done after he had received them from the exchequer in the earlier days.

152. Have these offices of secretary and treasurer remained united since 1831?—They have.

153. Was there a saving by the uniting of the two offices?—There was a saving, because the joint salary was made 1,000*l.* a year. I cannot be quite sure what the former salaries were, but I think the secretary and treasurer each had 600*l.* a year.

154. Since 1837 the treasurer has remained the sole collector of First Fruits and Tenths?—That is so.

155. You say the Governors have always, on the occasion of a vacancy, recommended someone to the Crown, and the Crown have always accepted that recommendation?—That is so.

156. Now I come to the salaries and the position of the inferior officers; what power did that first charter give the Governors to appoint inferior officers?—It gave them power to appoint "such inferior officers, substitutes, and servants" as they should in General Court think fit to choose and elect, and provided that the persons so elected should hold their respective offices "during the pleasure of the Governors."

157. Then what was the effect of the Act of the 1st of the Queen, Chapter 20?—By the A of the 1st of the Queen, Chapter 20, the two offices of the First Fruits and Tenths were consolidated with Queen Anne's Bounty, and it was provided that the Crown should by Royal Sign Manual make rules on the recommendation of the Governors as to the appointment and remuneration of clerks who should be employed in the work then taken over of the collection of First Fruits and Tenths.

158. That they should make rules as to the number, duty, and employment of the clerks?—That is so. There was therefore a distinction between the clerks for ordinary business and the clerks for the First Fruits and Tenths work.

159. Then there was a Royal Sign Manual of the 8th of March, 1839?—Yes, that provided that the clerks in that branch should be appointed by the governors, but that their salaries, number, and duties should still be arranged by the Crown by rules under the Royal Sign Manual.

160. Does that still go on?—No; in 1873 there was another sign manual which finally put the clerks on the same basis, and provided that the salaries as well as the appointments should be arranged by the Governors, so that all the clerks are now appointed by the Governors in General Court, and their salaries are arranged by the Governors in General Court.

161. Is there any power to give a pension?—A special Act was passed in 33rd and 34th of the Queen enabling the governors to give pensions. The Act is not exactly in the same words, but it is on the same scale as regards pensions, and practically

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practically in the same words as the Act dealing with clerks in the Civil Service.

162. Have many pensions been given under that Act?—A certain number have been given from time to time; there are at present six pensioners. The pensions have to be approved by the Treasury, and have, except when the clerks are over 60 years of age, to be on medical certificate.

163. Then by Royal Sign Manual of 7th Nov., 1873, it was provided that the provisions of that Act as to officers and clerks generally should apply to officers and clerks specially employed in relation to First Fruits and Tenths?—That was so.

164. And also that the salaries of the officers and clerks already or thereafter to be appointed by the Governors in the office of First Fruits and Tenths should be fixed by the Governors?—That is so.

165. Is that subject to the Treasury?—No, the Treasury are not concerned with the salary of any officer so long as he is acting as an officer, except the Secretary and Treasurer; that is to say, the Treasury have nothing to do with the salaries of inferior clerks; they have only to do with the pensions.

166. There was some re-arrangement of the work of the office in 1876, was there not?—Yes; before that there was the Treasurer's Office and Secretary's Office, and the First Fruits and Tenths Office, which were all kept distinct. In 1876 they were all united and a re-arrangement of the office was made, the work being done in different departments but not in separate offices, and that is the arrangement now—there is no distinction between the First Fruits Officers and the general officers—that is to say the clerks employed in the First Fruits Branch would also have general duties now in connection with other parts of the office.

167. How has that worked?—It has worked very well.

168. All appointments and promotions of clerks are made by the Governors in General Court, are they not?—That is so.

169. They have to be according to the rules under the Sign Manual?—Yes, those rules were handed in with the Charters.

170. I see on the 31st December, 1899, there were six pensioners?—There were six pensioners then and there are six now—one of those pensioners is dead, but another clerk has since been pensioned.

171. What amount did the pensions come to on the 31st December, 1899?—It was 1,076*l.* for the six clerks then, it is now less by about 80*l.*; the clerk who died had a larger pension than the other clerk who was pensioned.

Lord Bishop of London.

172. You are in a good position perhaps to appreciate the advantages or disadvantages of the union of the offices of Secretary and Treasurer under one head; I mean to say you have been Chief Clerk and you are now discharging the functions which the holder of those two offices discharged?—Yes.

Lord Bishop of London—continued.

173. Do you think it is convenient that the offices of Secretary and Treasurer should be combined?—I think it is.

174. On what grounds?—I think so long as one man can do the work he has a better hold on all the work that is going on in the office. The work which the Treasurer would have to deal with would come into the same letters as that which the Secretary would have to deal with—if the two offices were not united the letters would have to be dealt with first by the one and then by the other. There is also, I think, a considerable economy effected.

175. The office of Chief Clerk would have to remain very much as it is at present, even supposing the office of Secretary were divided from that of Treasurer?—Yes.

176. You do not suppose that the Secretary would absorb the office of Chief Clerk, supposing the two offices were divided again?—No. I do not think he could because you must have a head of the office to act in his absence for one thing.

177. And the Treasurer and the Secretary, if divided, would have to be so entirely different that they could not replace one another?—I think so.

178. You do not think that the present position makes the head of the office holding the combined offices of Secretary and Treasurer too important?—It gives him a great grip of the office. Whether it makes him too important is a matter upon which I should perhaps hardly be able to give an opinion.

179. Does it give him too much power?—Not over the office certainly. The consolidation of the power in the hands of one man certainly tends to rapidity of business.

180. The position of these combined offices is different from any other position held by any other person in the Civil Service, is it not?—I cannot say yes or no to that question.

181. It is not under the ordinary Treasury rules?—No, it is not. The Governors, of course, are not an ordinary public department; they are a separate and distinct body.

182. So that their relation to Treasury rules is only as regards such matters as are provided for by Act of Parliament?—Yes; or by the Crown under Royal Sign Manual.

183. Is that method of proceeding by Royal Sign Manual inconvenient?—No, I think not; it is not necessary for the ordinary everyday administration of the work of the Governors; but only for any increased special powers which they want to get, when the matter would have to be put very carefully before the Governors, and then there is a petition which goes before the Law Officers of the Crown.

184. Would it be fair to put it that the Governors have as regards their staff and the management of their affairs the advantages of an independent position, but that when the advantages of a dependent position become more convenient they can apply to have a Sign Manual made extending to them general provisions possessed by Civil Service Departments, which it is convenient for them to make use of?—No, I think they would make use of them of their own

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[Continued.]

Lord Bishop of London—continued.

own motion without applying to the Crown if they thought it advantageous to do so.

185. They would incorporate them in their own rules?—Yes.

Lord Ashcombe.

186. The powers of alteration that can be obtained under the Sign Manual are limited in certain directions, are they not?—They cannot alter the fundamental work entrusted to the Governors of augmenting the maintenance of the poorer clergy, but within that I think they can alter the rules under which they shall do the work.

187. Since that Act of the 5th and 6th of the Queen, has there been any further discharge by Act of Parliament of First Fruits and Tenths?—No.

188. You are aware, no doubt, that some time ago there was a discussion among some of the Governors as to whether it would be desirable to discharge from First Fruits and Tenths all livings under the value of £200 a year?—There was a discussion.

189. The opinion of the then Attorney-General, Sir Richard Webster, was taken?—That is so.

190. His opinion was that it could not be done except by Act of Parliament?—Yes.

191. And therefore it went no further?—It went no further.

192. The action of the Finance Committee and the sub-committee regulates the duties of the treasurer?—Yes.

193. It may be an assistance, or it may be a check?—Yes, it is both, I think.

Lord Barnard.

194. Who is practically the head of the staff? Who is the chief permanent officer?—The Secretary and Treasurer.

195. Does he exercise all the usual disciplinary powers over the staff?—Yes, but the chief clerk has to do a good deal of the detail under him.

196. And I suppose he, to a very large extent, is responsible for recommending clerks for appointments and for promotions?—If a question of promotion comes on no doubt his opinion of the comparative merits of two clerks would be very carefully considered by the Governors.

197. The Governors would depend very largely upon his advice and assistance in the organisation of the staff?—No doubt they would.

198. I suppose, later on, you will give the Committee evidence as to the terms on which the officials work, and the amount of leave, their hours, and so on?—Yes.

199. One question about the writs to the Bishops, which have to be obtained through the Queen's Bench Division, I suppose that is not a very expensive matter, is it?—It does not cost anything, I think.

200. Does it involve any delay?—No.

201. It sounds rather cumbrous; is there any reason why it should not be a statutory duty of the Bishops?—It is a statutory duty, but that is the way it was arranged to be done by the old Statutes. I cannot at present lay my hand upon the Statute which does provide that it shall be done in that way by a writ from the Exchequer.

202. Do you see any reason why it should not be done without that process if Parliament were (0.33.)

Lord Barnard—continued.

so to direct?—No, I do not see any reason why it should not be made a statutory duty in the ordinary way.

203. Did I understand you to tell us that the salary of the Secretary and Treasurer is entirely in the discretion of the Governors?—No, not the Secretary and Treasurer. The salary of the Secretary and Treasurer has to be approved by the Crown, but not of the other officers.

Mr. W. F. D. Smith.

204. I understand the secretary and treasurer now gives his whole time to the work of the Bounty?—Yes.

205. Could you tell us how many officials there are altogether?—I am coming to that later on in my evidence.

206. Do I understand from you that there is now no kind of division of the work into departments?—There is a division of the work into departments, but there is not the old division into the three branches of the Secretary's office, the Treasurer's office, and the First Fruits office.

207. One clerk might deal with a certain class of correspondence?—Yes; he does so.

208. Do you propose to come to the Scale of Pensions later on?—The Scale of Pensions is the same as in the Civil Service.

209. Do the Governors have to get the approval of the Treasury to the Scale of Pensions?—It is provided in the Act that it shall be so.

210. Is there any fixed age of retirement?—No; there is no age at which the clerks are obliged to retire.

211. I take it that the age of the officers is not so great as it was at the time of the last Parliamentary inquiry?—No; I have a return as to that which I propose to put in later on.

212. Will that also tell us what the office hours are?—Yes.

Mr. Stuart-Wortley.

213. It was given in evidence in 1868 that there was no rule as to the age at which the clerks should enter. Is there any rule now as to that?—I do not think there is any fixed rule in the Governors' minutes.

214. Is there any rule as to the qualification, literary or otherwise, of any clerk entering?—There has not been up to the present.

215. Nothing approaching to an examination or test of any kind?—No.

216. Then there has been no change in that respect since 1868?—No. I may say the Governors have been considering the matter within the last few months.

Mr. Humphreys-Owen.

217. Does the oath which is taken by the Secretary and Treasurer relate simply to the faithful performance of his duties, or does it include also an oath of allegiance or of abjuration?—I think it is only for the faithful performance of the duties of the office.

Mr. Stevenson.

218. What is the staff at the disposal of the Treasurer for the purpose of the collection of First Fruits and Tenths?—Do you mean the staff of the whole office or for that particular purpose?

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[Continued.]

Mr. Stevenson—continued.

219. I mean for that particular purpose?—I propose later on in my evidence to deal with the question of the collection of First Fruits and Tenths.

Sir William Anson.

220. From what you said about the writ out of the Queen's Bench Division I understand that the process is that the writ issues from the Queen's Bench Division, and then a return is made by the Bishop—is a writ issued to each Bishop?—To each Bishop.

221. Is that done as a matter of course or on application by the Governors?—On application by the Treasurer of the Governors, who is the collector.

222. Does it involve any expense?—No. The writs are sealed by the Queen's Remembrancer twice a year.

223. The Bishop makes, I presume, a return of all the liabilities of the Diocese?—No, he only makes a return of all the institutions. It is for the purpose of informing us what incumbents have been instituted so that we may know what First Fruits have become payable.

224. That would mean the liabilities for a year?—He only states who have been instituted.

225. That is to say the persons who are liable for First Fruits?—Yes, for First Fruits—not for Tenths.

226. How do they get the Tenths?—The Tenths are a fixed charge; they are payable annually.

227. They are collected through your office; do you send a writ to each incumbent?—We have to make an application. I propose to deal with that later on in my evidence.

228. The Lord Bishop of London asked you whether you thought the Secretary and the Treasurer might become too powerful a person. I understand that there is a body of Governors who watch over the business continuously?—That is so.

229. So that the Secretary and Treasurer would in that way be under permanent supervision?—Yes, he is.

230. In fact he is under more permanent supervision than the head of a Government department where the political chief changes from time to time?—I should think he is under more supervision.

Earl of Aberdeen.

231. You mentioned that the combination of the office of Secretary and Treasurer produced economy; was that with regard to the salaries of the holders of the office?—Yes.

Lord Ashcombe.

232. I think in late years application has been once or twice made to the Civil Service Commissioners when clerks have been wanted, to ask whether they could recommend anyone who had passed their examinations?—That has been done, and clerks have been elected on their recommendation.

Mr. Stuart-Wortley.

233. Has that been in isolated cases, or a general practice?—It has been a general practice.

Mr. Stuart-Wortley—continued.

There are now five clerks serving in the junior department among the eight or nine who have been appointed within the last twelve years who have been so appointed.

234. On the question of the age of admission, is there any general practice apart from rule?—I do not think any clerk has been admitted under 20 or 21 years of age for many years.

235. And as to the maximum age, what would that be?—As to the maximum age there has been no clerk, I think, admitted over 28 or 29 years of age, except for special purposes, such as a solicitor. I do not think there have been any over 25, but I could ascertain that; they have been all quite young men.

236. During what period would that be so?—For the last twenty years, certainly.

Lord Ashcombe.

237. There are a certain number of boys employed, are there not?—Yes; there are a certain number of boys as supernumeraries.

238. And sometimes they are promoted to be clerks; but before they are so promoted there is very strict enquiry into their qualifications and their antecedents?—Yes.

Mr. Humphreys-Owen.

239. As regards these clerks whom you spoke of as being appointed on the recommendation of the Civil Service Commissioners, would they correspond to First Division clerks or Second Division clerks?—They would be Second Division clerks; they were appointed to positions in the office similar to what would be Second Division work in the Civil Service.

Lord Bishop of London.

240. May I put it this way? Speaking generally, the clerks are appointed on the nomination of the Secretary and Treasurer, approved by the Governors, but in cases where the Secretary and Treasurer does not know anybody suitable, application is made to the Civil Service Commissioners to recommend someone?—I would hardly put it so widely as that. I do not exactly know what occurred when the application was made, but I think the Governors thought that it was wise to make the application. I do not know if it was on the recommendation of the Secretary and Treasurer.

Chairman.

241. In your opinion would it be an advantage if the Civil Service Commissioners were consulted in every case?—A special committee of the Governors have been into that matter lately, and I propose to hand in the report of what they found on that subject. They think that in future no clerks should be appointed unless they have passed such an examination as in the opinion of the Governors is equivalent to the junior examination in the Civil Service; they think that will be the best thing.

242. You do not think it is necessary that they should all be appointed by the Civil Service Commissioners?—The Committee which inquired into that special matter did not think so.

243. You have their report I understand?—Yes.

244. Will

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[Continued.]

Chairman—continued.

244. Will you hand it in?—Yes. [*The same was handed in.*] Sir Ralph Thompson, Sir Joseph Savory, and Mr. Charles Gould formed the Sub-Committee which inquired into the whole question of the staff and the hours, and various other matters.

245. You have not given us the actual staff which you have at present?—As regards the staff at the present moment besides the Secretary and Treasurer there are 27 on the establishment, including the auditor (who is not solely employed by the Governors, but is paid a salary for the work he does), and a messenger and a typewriter, who is paid weekly, so that there are 24 clerks. The Governors forming this special Committee have recommended that the staff should be increased, but that is the present staff.

246. I understand that at the head there is the Secretary and Treasurer, and then there is the Chief Clerk?—Yes. Then there comes the class of senior clerks, of whom there are five, who receive from 350*l.* to 450*l.*

247. Rising by what increments?—Rising by instalments of 10*l.* yearly. Then there is an architect and surveyor on the same scale—350*l.* to 450*l.*

248. Perhaps you had better begin at the beginning and give us the salary of the Chief Clerk?—The Chief Clerk's salary is from 500*l.* to 700*l.* with an increment of 20*l.* a year.

249. And the Secretary and Treasurer, what does he get?—He varies from time to time as a new one is appointed. Before 1868, as will be found in the report of the Select Committee of that year, the Secretary and Treasurer was receiving 1,350*l.* a year, and he had an official residence rent free, and was entitled to take private business. The Select Committee of 1868 reported that some reduction ought to be made, and when Mr. Aston was appointed he was appointed at a salary of 1,000*l.* a year. Then in the year 1882, when he had served ten years, the Governors petitioned the Crown for an increase of his salary to 1,400*l.* a year?

250. On what grounds?—On the ground that the work had largely increased in the office—the funds in the Governors' hands were far larger, and were continually increasing. The Crown, acting under Mr. Gladstone's advice (there were several letters from him on the subject) then fixed the salary at 1,000*l.* rising after five years' service to 1,200*l.* with a residence free of charge in such part of the official premises as the Governors should allot. That remained so until Mr. Aston's death.

251. Mr. Aston came in at 1,200*l.* a year?—He having served ten years there was a question whether he should at once have 1,200*l.*, or whether he should first serve another five years, but Mr. Gladstone thought that he ought to have the 1,200*l.*

252. If he had lived another five years would he have got 1,400*l.* a year?—No, 1,200*l.* was the maximum.

253. And a residence rent free?—A residence free in such part of the official premises as the Governors should allot.

254. When he was appointed he was not allowed to take any private business of his own, was he?—No.

255. And that would also be the case in the future, I presume?—Always.

Lord Ashcombe.

256. The report which you have just handed in was a report of a Sub-Committee appointed by the Finance Committee?—Yes.

257. It has not yet been confirmed by the Committee, has it?—No, but I have handed it in with the consent of the Sub-Committee and of the Chairman of the Finance Committee.

258. Will you state who were the members of the Sub-Committee?—Sir Ralph Thompson, Sir Joseph Savory, and Mr. Charles Gould, Q.C.

Chairman.

259. In 1837, on the consolidation of the offices of First Fruits and Tenths and Queen Anne's Bounty, the Secretary and Treasurer was given by Sign Manual an additional salary of 350*l.* a year as collector of First Fruits and Tenths; those are all now merged in the 1,200*l.* a year?—That is so.

260. Then the office being vacant would he receive 1,200*l.* a year when he was appointed?—Under the existing Sign Manual he would begin at 1,000*l.*, and then after five years receive 1,200*l.* a year, unless the Governors chose to petition the Crown for any alteration.

261. And he has his residence free?—That would depend upon whether the Governors wished in future to allow it.

262. Mr. Aston had his residence free?—Yes.

263. And were rates and taxes paid?—Yes, he had his residence free of rates and taxes.

264. Was there any allowance for fire?—The Governors paid heating and lighting and rates and taxes.

265. Now, with regard to the other officials, will you give us the salaries of the other officials as they stand at present?—The Chief Clerk's salary goes from 500*l.* to 700*l.* by increments of 20*l.* a year; I am at present at 600*l.*, having served five years. Then there are five senior clerks whose scale is from 350*l.* to 450*l.* Four of them have just reached their maximum, and one of them is at 400*l.* Then there is the Architect and Surveyor, who goes on the same scale, 350*l.* to 450*l.* He is now at 400*l.*

Lord Bishop of London.

266. Does the Architect give his whole time?—Yes. The Architect gives his whole time. Then there comes the Solicitor. He is a salaried official giving his whole time. He gets 500*l.* a year. He was appointed at 400*l.*, and he has been there five years, and seeing what he had done, the Governors thought his salary should be increased, and so they fixed the 500*l.* He has only been put up to that within the last few months. Then there are the junior clerks in the Upper Division. The junior clerks, I may say, are divided, according to the Governors' arrangements, into eight Upper Division and eight Lower Division clerks, if necessary; but at present there are only four Upper Division clerks and twelve Lower Division junior clerks. The juniors in the Lower Division not having reached their maximum in that division, have not been put up into the Upper Division. The salaries of the junior clerks in the Upper Division go from 250*l.* to 350*l.*; they have none of them reached the maximum. One is at 330*l.*, one 320*l.*, and two at 300*l.* Then there are twelve

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twelve junior clerks in the Lower Division, or rather there are only eleven at the present moment, for one has resigned, and his place has not yet been filled up. Their salaries go from 80*l.* to 200*l.* None of them at present have reached their maximum. The highest is at 180*l.*, then one at 170*l.*, four at 160*l.*, four at 130*l.*, and one at 110*l.* Then there is a typewriter, who is on a certain scale and is paid by the week. He goes from 25*s.* to 35*s.* a week rising by 2*s.* yearly.

267. What does the auditor receive?—He is paid 200*l.* a year. He is in practice as an accountant, and he only gives the Governors such time as is required for their audit. Then there is a certain limited number of supernumeraries, boy clerks, at weekly wages.

268. How many are there of them?—At present there are ten receiving weekly wages of from 10*s.* to 1*l.*—three of them have reached 1*l.* a week. The report of the Special Sub-Committee I mentioned advises that four of them should be made junior clerks.

269. What is the whole expense of the staff altogether?—The total cost of management last year after deducting fees received in legal and other matters was just under 10,000*l.* a year.

270. That includes all the salaries?—That includes every item of salary and all the stationery, general expenses, rates and taxes, and pensions.

Mr. Stuart-Wortley.

271. That is after deducting fees I understand?—After deducting certain fees which come in through the Legal Department in hard cash—fees earned and small assignment fees, there is no deduction except those fees.

Mr. Stevenson.

272. I suppose the senior and junior clerks can be shifted from one branch of the office to another at the discretion of the Chief Clerk?—According to the discretion of the Secretary and Treasurer.

273. If a clerk was not required in one branch he could be shifted to another?—Yes.

274. Consequently it would be very difficult to estimate what the precise expenditure on the different branches of work would be?—Yes, certain work is done in certain Departments, and I could estimate what the expenditure is, on the clerks solely engaged in those departments, but to put down the proportion of general expenditure to each department is a little difficult, though it can be done approximately.

275. Would you be able, for instance, to form an estimate as to what the cost of collecting the Tenth and First Fruits was?—Yes, very closely. You would have to attribute some part of the Secretary and Treasurer's time; it is difficult exactly to say how much, but still one would get pretty near it.

Mr. Humphreys-Owen.

276. Are the present senior clerks men who have passed through the junior division or have they been appointed direct?—All of these have passed through the junior division.

277. Does the auditor attend frequently at other intervals than yearly or half-yearly?—Yes,

Mr. Stuart-Wortley.

every month; he makes a monthly audit as well as a yearly audit.

278. Could you give us the amount of the fees which you say you have deducted in the last complete year?—They are shown in last year's return to Parliament at page 9. You will find it two items—first under the head of "Incidentals General," 229*l.* 19*s.* 9*d.* Those would be assignment fees on the transfer of leases at ground rents, and so on. Then there are "Legal fees," 797*l.* 0*s.* 1*d.*; that is money earned by the legal department.

279. Amounting together to something over 1,100*l.*?—Just over 1,100*l.* If those fees were not deducted the total charges of management would be 1,100*l.* more, but I think those fees are properly deducted.

280. Have you got the salaries of the officers in a tabular form?—Yes; they are attached to the report of the Sub-Committee which I have put in. That gives the class and scale of the clerks, the age of each clerk, the years of service, as well as the present salary.

Mr. W. F. D. Smith.

281. Does the solicitor receive any fees beyond his salary from the office?—No; any fees that he earns go to the credit of the Governors' General Fund.

282. From whom does he earn fees?—If he sells a piece of land for a benefice, the purchaser would usually pay the vendor's costs and he would then earn money.

283. The cost of the mortgages is now paid direct to the Governors and not to the solicitor as formerly?—There are no costs of mortgages to the clergy as a matter of fact; they are done without costs, but if there were costs paid they would go into the general funds and not to the solicitor.

284. And would the same apply to the architect also?—Yes.

285. Does he act as surveyor as well?—Yes, in most matters—not in all.

Lord Barnard.

286. You stated that the Secretary and Treasurer had coals and lighting, and rates and taxes free—you did not mention the subject of repairs; is his house kept in repair?—Yes, I think all repairs were done.

287. All these items are included in the sum set down on page 9 of the return to Parliament?—Yes, every item of expenditure.

288. Does it include the value of the house; that does not appear as far as I can see?—It is a freehold house; there is no rent paid for it, so that it would not appear.

289. It was stated in the report of the Committee of 1868 that the Secretary at that time was allowed to take independent professional business, but it is not precisely stated what the nature of the business was?—He was a solicitor.

290. I presumed so. I was going to ask also whether professional qualifications are required now for the office of Secretary and Treasurer?—No; I think no particular professional qualifications are necessary under any rules.

291. I presume you require the same professional qualification in the case of the architect and surveyor as in the case of the solicitor?—Yes.

292. But

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[Continued.]

Lord Barnard—continued.

292. But you require no professional qualification of any kind in respect of any other member of the staff?—No, beyond such as the Governors would at the time of appointment require. One of the juniors, for instance, was specially brought from a solicitor's office to work in the legal department, and two other of the juniors during their time in the Governors' service have passed their Bar examination and been called to the Bar, and they have been transferred to the legal department.

293. Perhaps you are aware that in the case of the Charity Commissioners, with which I am familiar, the statute under which the Commission is established and carried on requires that a certain number of the staff should either be barristers of a certain standing or admitted solicitors of a certain standing?—I believe that is so.

294. Do you think that any such requirement would be an advantage in regard to this department?—I do not think so, except for the solicitor.

295. In the case of the auditor, I understand he receives a sum of 200*l.* a year; that is more properly a fee than a salary, is it not; it is a fee for services performed?—I think it is, perhaps—that is to say he is doing other business of his own—but he has always been regarded as a salaried official.

Lord Ashcombe.

296. For the last few years before the Law Clerk was appointed, what was the practice of the Board?—There was a solicitor appointed, a gentleman practising as a solicitor who was elected by the Governors to act as their solicitor.

297. He was a practising solicitor who belonged to a private firm?—Yes.

298. But the appointment did not vest in the firm?—No, it was not the appointment of a firm, but the appointment of an individual.

299. So that if he ceased his connection with the Board the whole connection of that particular firm with the Board ceased?—Yes.

300. When was the first law clerk appointed?—In 1894—I was the first appointed.

301. Then you were appointed chief clerk when the chief clerk retired?—Yes, when the chief clerk retired.

302. The result of the appointment of a law clerk has been supposed to be a great saving, has it not?—Yes; as nearly as I can estimate there has been a saving of from 1,400*l.* to 1,500*l.* a year.

303. There has been a saving both to the office and to the clergy?—Yes.

304. Because no fees are charged to the clergy now as they were before?—In many matters no fees are charged to the clergy.

305. One word about the architect and surveyor, was he also appointed as building clerk?—He came from an architect's office in which he had been employed, but when he came into the office there was another man acting as architect and surveyor and when that man retired he was appointed to succeed him.

306. What are his special duties there?—All the plans which have to be approved by the Governors pass through his hands. There

Lord Ashcombe—continued.

were some 150 sets of plans last year. He has to make emendations if he thinks it necessary; in about two-thirds of the cases last year, and on the average it would be in about two-thirds of the cases, he had alterations made. He also has to look after any surveying matters that may arise in connection with the Governors' ground rent estates.

307. The Governors of late have invested rather largely in ground rents, have they not?—They have during the last thirty years.

308. Has it been part of the surveyor's duties to report to the Governors upon the ground rents?—He has to report on the great majority of them. In certain special cases the Governors have also employed other surveyors outside the office.

309. In recent years, he having had greater experience, they have referred matters more to him?—I think that the Governors consider his opinion on most questions of ground rents as good as any opinion they would get from an outside surveyor.

310. Therefore, you think it is an economical arrangement on the part of the Governors?—Certainly; there has been a large amount of fees saved.

Earl of Aberdeen.

311. As I understand your appointment superseded the need of any employment of a solicitor independently?—That was so. When I was appointed, the Governors started the Legal Department instead of appointing a solicitor.

312. Of which you were the head?—Yes, I was the head of it—in fact, I organised it.

Chairman.

313. Now, coming to the nature of the business done by the Board besides the business entrusted to the Governors by their original charter, there have been from time to time entrusted to them numerous duties under various statutes, have there not?—Yes.

314. First with regard to the collection of First Fruits and Tenths, from how many livings are they collected?—From about 5,000 livings.

315. That is according to the assessment made in the reign of Henry VIII.?—Yes, the same amounts are collected now from the livings, as were assessed upon in the time of Henry VIII. there has never been any re-valuation since.

316. Certain livings have since been exempted?—Certain livings were exempted in the time of Queen Elizabeth—all vicarages under 10*l.* a year and all rectories under 6*l.* 13*s.* 4*d.* a year in annual value were by the Statute of Elizabeth exempted from First Fruits but not from Tenths. Then by a Statute of the 5th and 6th of Queen Anne about 3,900 poor livings of the value of under 50*l.* a year were exempted altogether from First Fruits and Tenths, that left about 5,000 livings in charge.

317. First fruits are payable on institution?—On institution.

318. How are they demanded?—They are demanded by a letter sent to an incumbent as soon as the Governors find from the return of the bishop that an institution has taken place to any living that is chargeable.

319. Have

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[Continued]

Chairman—continued.

319. Have you any difficulty in collecting them?—There are a certain number always in arrear, but there are very few that are not ultimately collected.

320. Have you any arrears at present?—Yes, there would be some arrears. The arrears are shown in a return which is made to Parliament each year. On page 16 of the return of last year you will find a list of the First Fruits in arrear.

321. But do you say eventually you always get the arrears in respect of First Fruits?—Not always, but almost always. Sometimes when there is an arrear the incumbent dies and leaves no assets, and the amount is not recovered.

322. When are tenths payable?—Tenths are payable annually on Christmas Day by the incumbent who is in receipt of the profits of the living on Christmas Day.

323. Can you give us the number of applications which were made in 1899?—The actual number of applications for amounts that were made in respect of the year 1899 was 4,972.

324. The figure I have in your proof is 5,606?—Yes, but I find the correct figure is 4,972.—the other applications were in respect of other moneys—not in respect of First Fruits and Tenths.

325. In many instances have you to make several applications?—Yes, in a large number of instances several applications have to be made. A certain number of Tenths are paid without application.

326. Have you ever to issue a writ?—Yes, sometimes, in fact in every year two or three writs are issued. They are issued from the Exchequer.

327. Have you many bad debts?—No, we have very few bad debts on First Fruits and Tenths.

328. Will you tell us how you keep your books in regard to these matters?—A charge is raised every year for the total amount of Tenths due, and that is discharged by the amount received. The receipts for all the amounts due are written out and prepared beforehand, so that at any time the arrears can be checked by the receipts that remain in the books not sent out, and you can tell at any moment whether the amount received is the proper amount. That checking is done at an uncertain time each year.

329. You keep a ledger showing the returns? We keep subsidiary ledgers in connection with the work. The two clerks in this department have also the duty of examining and copying the bishops' returns, the originals of which ultimately are deposited in the Record Office.

330. What was the amount received for First Fruits, Tenths, and fees in 1899?—In 1899 the amount was 16,184*l.* 0*s.* 6*d.* That appears in one item in the annual return for last year on page 6.

331. This work is done by one senior and one junior clerk, who also do the whole of the cashiers' business of the office?—That is so—the collection is done by them. Of course the accountant's department does a certain amount of ledger work in connection with it.

332. I gather the proportion of the work is roughly estimated as 5-8ths for First Fruits and Tenths and 3-8ths for cashiers' work in other

Chairman—continued.

matters?—Yes. I think rather more than half the time of these clerks is taken up with the First Fruits and Tenths—it is a little difficult to say, but I think that is about it.

333. As cashiers they have to see to the receiving and giving receipts for the various amounts received on all accounts at the office, I suppose?—Yes, and the correspondence with reference to remittances, tithe redemptions, copyhold enfranchisements, &c., and keeping the cash books and making up the paying-in sheets. As regards the system of finance, that I propose to deal with under the heading of "Finance."

334. What was the number of separate amounts received in 1899?—The number of separate amounts of money received at the office in 1899 was 13,833.

335. And what was the number of communications dealt with by the Department?—In 1899 the number was 11,199—that is taken out from the letter-book.

336. Now, there is another head of business which you have to do, and that is carrying out the duties imposed upon the Governors under the Dilapidations Act, 1871?—Yes; that is a duty imposed upon them since the Select Committee of 1868. The Governors duty, under that Act, is, I might roughly say, that of bankers, although the analogy is not complete. They have not to do with the assessment of the dilapidations, which is done by the diocesan officials and the bishops, but as soon as the bishops' order is made the Governors have to apply to the new incumbent for the amount. He gets it from the outgoing incumbent, and pays it to the Governors, who disburse it, on the certificates of the diocesan surveyor, countersigned by the bishop, as the work is done. A large sum is always coming in, and another large sum is always going out.

337. You have also to keep a record of all these certificates of completion of works exonerating an incumbent for five years?—Yes. A copy of each certificate exonerating an incumbent for five years is sent to the Governors, who have to keep an accurate record of all those certificates.

338. In 1899 how many sums were received?—That appears in the report to Parliament for last year; the amount received was 58,025*l.*, in 571 sums.

339. What was the amount disbursed?—57,962*l.*, in 730 different sums.

340. Do the Governors ever make grants for dilapidations?—The Governors about five years ago obtained power from the Crown to make grants in certain dilapidation cases. They are only cases where the livings are very poor, that is where they are augmentable livings, and only in cases where the amount assessed is irrecoverable from the late Incumbent owing to the insolvency of his estate. In those cases the Governors have power to give half of the amount assessed for the dilapidations.

341. Have you many cases of that sort?—The Governors have made grants to 57 benefices in the four years, representing a total amount of 4,650*l.*

342. Is that found to be of great use to the clergy?—It appears to be of very great use.

343. It

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343. It is a great relief I suppose at that particular time?—Yes, it saves small livings from remaining unfilled. Many a clergyman will not take a living when he knows there is a heavy sum for dilapidations which he will not recover from his predecessor. This power has enabled many livings to be filled that would otherwise have remained in sequestration.

344. That entails a considerable amount of work in receiving and recording the Bishops' certificates and orders, and in applying for the amount certified?—Yes, and in making quarterly returns to the Bishop of the amounts unpaid. Those have to be made under the Act.

345. And also in receiving and recording certificates for payment, and of completion of works?—Yes.

346. And in making out receipts for remittances, and making payments?—Yes.

347. And in keeping the subsidiary dilapidation ledgers?—Yes; that, of course, has to be done.

348. How many clerks are engaged upon that work?—One senior and one junior clerk.

349. How many communications were dealt with in the year 1899 in that department?—3,059 I find from the letter-book.

350. Can you hand in a summary of benefices dealt with under this Act?—Yes, the total amount that has come into the Governors during the thirty years since the Act was passed has been 1,862,028*l.* Of course, almost all of that has gone out again. There is now a balance in their hands. (*The same is handed in.*)

351. I see a word here in your proof which I do not quite understand. You say that the nominee accounts connected with loans to the clergy where the secretary and treasurer acts as nominee are also dealt with by this department. What does that mean?—I do not know whether I can explain it in a few words. The scheme of the Act which enables the clergy to borrow is that when money is lent the lender shall pay it, not to the clergyman, but to the person nominated by the bishop and patron to receive it and see to its proper expenditure; he is called the nominee. He receives the money, and sees that it is spent in the work for which it is lent, instead of the money being advanced to the incumbent to spend. In certain cases the Treasurer of the Governors is made the nominee for office purposes. If the Governors are spending other money also on the same house and are supplementing such money by a loan, it is convenient then that he should be the nominee, and he is so in a certain number of cases.

352. Then there is another head of business, namely, Loans on Mortgage to the Clergy?—Yes, that work is divided into three sub-heads as the work is done at present. There is first the preliminary correspondence in connection with the application for loans and the criticism of plans of proposed works. That is all done before the loans come to the Board. Then there is the preparation of necessary documents and deeds. Then, in the third place, there is the collection of instalments of principal and interest—getting back the money that has been lent.

353. Have you got a copy of the forms of application for loans?—Yes. The loans to the

Chairman—continued.

clergy are generally regulated by Statute—that is to say, the documents which they have to provide are largely statutory.

354. And you have forms of printed queries and of statutory instructions for Incumbent and Architect?—Yes.

355. Those you hand in I understand?—Yes (*handing in the same.*)

356. What are those loans made for?—They are made for the building of parsonage houses, and the improvement of parsonage houses, building or improving farmhouses or labourers' cottages—buying land contiguous to the parsonage, and for repairing the chancel where the Incumbent is liable for the repair of the chancel—that is usually in the case of rectories. Those are roughly the heads.

357. Are those plans for loans for improvements handed over for criticism to the Governors' salaried architect?—Yes; the architect looks through them all and the specifications, and writes a report on each case.

358. And they go before the Standing Committee?—Yes.

359. How many communications were dealt with by him in 1899?—2,141 communications were dealt with as preliminary correspondence in connection with the mortgages, which occupies about one-half of the time of one senior clerk.

360. Then there is the preparation of the necessary statutory consents by the Bishop and Patron?—Yes, the Bishop and Patron have to give a statutory consent like a deed. It has to be done on parchment under the Act. The mortgage deed has also to be prepared.

361. Then there is the collection of instalments and interest?—Yes; they have to be collected; they are collected yearly; they become due yearly.

362. Of course, that involves a great deal of trouble and time?—Yes; there is a large amount of book-keeping and calculating and making applications for the interest and instalments of capital.

363. I think sums in arrear for 48 days are recorded in an arrears book, are they not?—Yes; it became necessary some years ago to make a special arrears book for the collection of arrears. There is a good deal of difficulty in knowing exactly the amount of pressure to be put upon the clergy. On the one hand you cannot press them too hard, and on the other you cannot leave them too long, and a good deal of discretion is required.

364. Can you give us the total amount lent to the clergy in 1899?—The total amount lent in 1899 was 18,349*l.* 15*s.*

365. At what rate of interest did you lend it?—At 4 per cent.

366. Have you many arrears?—Nearly a third of the amounts due go into the arrears book—that is to say they become more than 48 days in arrear. They are gradually worked off as time goes on. Cases which become a whole year in arrear are very rare.

367. What was the total amount outstanding on loans to the clergy on the 31st December, 1899?—487,410*l.* 17*s.* 2*d.*

368. Is any legal charge made to the clergy for the work connected with the loans?—There is no legal charge made at all by the office. There is a small fee of 12*s.* paid to the Diocesan Registrar for registering the mortgage and the accompanying

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Chairman—continued.

accompanying plan. No charge has been made by the office since 1893.

369. A copy of the mortgage is deposited, is it not, at the Diocesan Registry?—Yes, a copy of the mortgage and a sworn plan (the plans have to be under oath) are deposited at the Diocesan Registry for the inspection of all future incumbents, and the deed itself is kept at the Bounty Office, and the counterpart is sent to the incumbent.

370. Can you hand in a summary of the moneys advanced under these Acts?—Yes. The total amount is 4,146,283*l.* (*The same is handed in.*)

371. Can you say how much of that was lost?—Very little.

372. Then you have another head of business, namely, the application of surplus income in the augmentation of benefices?—Yes.

373. The sources of surplus income we will deal with when we come to the head of finances later on?—Yes.

374. The Governors at any time of the year receive applications for augmentations either for endowment or for building to meet benefactions offered, do they not?—Yes, that is so.

375. They consider those applications once a year in March?—In every year in March.

376. That is to say after they have ascertained the available funds for the year?—Yes. The balance-sheets are audited by that time.

377. Have you got any limit as to the value of the benefices to be augmented?—The present limit is 200*l.* a year—no benefice can be augmented by the Governors which is over the yearly value of 200*l.*

378. How is the value ascertained?—It is ascertained by a Commission issued by the Bishop at the request of the Governors to certain gentlemen in the neighbourhood who make a return of the income, which the Bishop verifies.

379. If you make a grant to augment a benefice what do you require to be paid from independent sources?—There must be at least an equal amount contributed from independent sources.

380. Is there anything more you wish to say about that particular head of your business?—As regards the clerks who look after the augmentation work, I may say there is one senior and one junior, and they have also certain other work—that is the general secretarial correspondence of the office—correspondence as to sales and purchases of lands or houses for benefices, and the preparation of minutes, and attending to correspondence by incumbents on various general matters.

381. Can you tell us how much has been granted for the augmentation of poor benefices in the year 1899?—The actual amount granted last year is shown in the return as £34,810. I may say on that that the total amount that has been added to the capital of the Church by benefactions and grants from the Governors since their incorporation is just over 7½ million pounds.

382. Now you have another head of business, namely, the application of capital funds held for benefices in the erection of parsonage houses, and in the purchase of houses or lands for benefices?—Yes.

Chairman—continued.

383. Will you just explain that a little further?

—The Governors hold large capital funds for benefices on different accounts—either sums they have themselves granted to benefices, or sums that have come from other sources for particular benefices, and the incumbent of that particular benefice can ask the Governors to spend that money for certain specified objects—one of these is the erection of a parsonage house or the improvement of it; another is the purchase of houses or lands for the benefice.

384. I suppose you would include in that a case such as if you allow an incumbent to sell the parsonage, or any part of his property, in order to make a new parsonage?—Yes, the selling is not in the hands of the Governors, it is in the hands of other authorities; but the Governors have to receive the money, they know nothing about the sale of the parsonage house until they receive the money; then they have to see to the acquisition or the building of a new house.

385. The incumbent sends in a form of application with his plans, specification, and estimate for the architect to look at?—Yes.

386. And they are criticised by the Governor's architect, and then they go back with a report from him to the Standing Committee in the ordinary way?—Yes.

387. Can you hand in forms of instruction and a summary of the sums expended by the Governors under this head?—Yes; the total sum expended by the Governors in the erection of parsonage houses for particular benefices out of capital held for benefices has been 1,864,932*l.* (*The same is handed in.*)

388. Then, have you anything to do with the purchase of houses and land for benefices?—Yes. Instead of building a new parsonage house the Governors frequently purchase a house, and they also can, with the funds which they have given to the living or which they otherwise hold for a particular living, purchase land if it is a desirable investment for the living.

389. What sort of charges do you make to the clergy for all these matters?—If there is a purchase made it is carried through in the legal department, and there is no profit cost charged against the living at all—that is to say, the cost which a solicitor would make his profit out of is not charged at all—all that the living is charged with is the out-of-pocket expenses for stamp and parchment and stationery charges if any. I might say that the amount which the Governors have expended in the purchase of land for particular livings has been nearly 3½ millions. (*Summary and Instructions handed in.*)

390. Now, coming to the acquisition of lands or houses for benefices by gift or benefaction, what have you to say as to that?—Land besides being bought can be given either as a free gift or as a benefaction. A free gift is a gift by a benefactor who does not ask anything in return. A benefaction is a gift by a benefactor, who asks for a grant in return.

391. You have had something to do with the sale of land belonging to benefices, have you not?—Yes. When any land has been acquired for a benefice through the medium of the Governors, it can be sold through them with the consent of the Bishop and the Patron.

392. They

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Chairman—continued.

392. They have, of course, to be satisfied as to the value?—Yes, there is a valuation and report by a local surveyor appointed by the incumbent and approved by the Bishop; and there is also what we know as a local commission—that is, the Governors ask the Bishop to issue a commission to certain local gentlemen to report upon the general merits of the sale. In two recent cases the benefit of that has been shown very strongly. In one case during the last two months 800*l.* more has been got for the land. It was said by the surveyor to be worth only 3,200*l.*, but 4,000*l.* has been got because these gentlemen's local knowledge showed it was worth more; and in another case a higher price was obtained owing to local knowledge.

393. Are the sales carried through by your legal department?—Yes.

394. Are there any costs?—If the purchaser pays the costs, any profit costs go to the Governors' general fund; if the purchaser does not pay the costs, then the proceeds of the sale are only charged with the out-of-pocket costs, which in the case of a sale are generally about 30*s.* or 2*l.* (*Sale Instructions handed in.*)

395. Then another branch of your business is the payment to the clergy of interest and dividends on a great quantity of money held by them for benefices?—Yes, on the capital funds. According to the last return to Parliament, the Governors hold upwards of six millions—6,175,000*l.* in money and in stock.

396. For about how many benefices?—For about 5,000 benefices. (*Dividend Warrant handed in.*)

397. How does this money arise?—It arises under various Acts of Parliament under which from time to time the Governors have been directed to receive money. The different accounts under which it is held will be found in the return to Parliament for 1899 on pages 10 and 11.

398. Have you got a full list of these Acts?—Yes.

399. Will you hand it in?—It is contained in the printed statement which I have handed in already.

Lord Bishop of London.

400. I take it that it might be said that the bishops, as Governors of Queen Anne's Bounty, render assistance in the general administration in their respective dioceses?—Yes, certainly; they render great assistance.

401. All these various points which you have spoken of as being referred to them are points upon which it is desirable that the administration should be informed?—Certainly.

402. The general duty of the Bounty Board is to augment poor livings?—That was their original duty.

403. Of course that is largely exceeded now by other duties that have been put upon their shoulders?—It is largely exceeded by other duties now.

404. That was their original duty—to augment poor livings from the two sources of First Fruits and Tenths?—It was originally their only source of income.

405. First Fruits and Tenths are now com- (0.33.)

Lord Bishop of London—continued.

mutated into yearly payments are they not?—Only in the case of the bishops; the clergy still pay First Fruits on institution. They pay a lump sum once for all.

406. It is not a large sum in most cases, is it?—It seldom exceeds 20*l.* It is the annual value of the benefice in the time of Henry VIII.

407. They pay the Tenths yearly?—Yearly.

408. What is the number of the benefices that are liable to Tenths?—About 5,000.

409. All benefices are liable to First Fruits, are they not?—No, about the same number.

410. But not necessarily the same benefices?—They almost always are the same.

411. You mean all the more modern ones are exempt altogether?—Yes, except where a living has been cut off, and part of the old First Fruits has been cut off with it.

412. You said that an opinion had been given by the then Attorney-General, Sir Richard Webster, some years ago to the effect that the discharge from First Fruits was impossible without legislation?—Yes.

413. That did not apply to the Tenths, did it?—Yes, it applied to the discharge of either.

414. By the discharge you mean perpetual discharge?—Perpetual discharge.

415. But it would be possible, would it not, to augment a benefice and to regard the remission of the Tenths as a portion of the augmentation?—I think that could not be done under the present system of augmentation.

416. It could be done, could it not, by the Governors?—It would be a question whether it would be within their charter, or whether having to collect under the charter and having also to augment, it would not be exceeding their power to do it in that way; it would be a question that would have to be carefully considered.

417. It would seem at first sight to be rather an extravagant way of proceeding to have on the one hand a staff for collecting small sums from a benefice and on the other hand, when collected, to grant it out to the same benefice again?—It may be so in theory in some cases.

418. You think there would be legal difficulty in the way?—I think there might be, I would not like to say one way or the other.

419. Probably the difficulty would not be insuperable. However, the Bounty Board has always acted on the assumption that it is its duty to collect rigidly these First Fruits and Tenths, and not to consider the question of their remission?—That was the advice given by the then Attorney-General, Sir Richard Webster.

420. The amount of the Tenths in some cases is very small is it not?—In most cases they are small, about 2*l.* would be the average.

421. But sometimes it is under a pound?—Yes.

422. As regards the question of loans to the Clergy for the improvement of buildings and so on, that is really a form of investment of money by the Governors is it not?—It is so practically.

423.—Is it regarded more by them as being a mode of investing the money than as bestowing any benefit on the Clergy?—Not now I think—it used to be at one time. I think the Governors would prefer now, regarding it as a mode of investment, not to lend money at all in that way.

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424. If

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Lord Bishop of London—continued.

424. Of course the Clergy often think that 4 per cent. is an excessive charge?—There have been considerable complaints, not in the last year or two I think, but there are some now.

425. But it is not thought by the Governors that it is so?—In the return to Parliament for the year 1888 there is set out a paper showing the full reasons why the Governors thought they could not lend at less without a loss. Those reasons are still thought to hold good. The Governors have from time to time reconsidered the matter, and they thought that they could not lend for less.

426. Do you mean that the Governors do this as a strictly business proceeding; they do not reckon under this head to confer any benefit on the clergy?—No, I do not think they would have any power to confer a benefit; for it is not under their augmenting power that they lend, because they can lend to the richest living in England, but they cannot augment it, and of course they can lend to the Bishops.

427. But they do, as a matter of fact, exercise a certain amount of supervision over the loans which are submitted to them; they do not simply lend to everybody who applies?—For many years they have exercised very close supervision over all the individual loans asked for.

428. So that it tends to keep down extravagance in building?—Yes, very much so.

429. Do they carefully consider each case?—They carefully consider each case.

430. In fact, it is the main duty of the Standing Committee to consider such cases, is it not?—Yes.

431. Perhaps it is the largest part of their business to exercise a careful supervision in cases of that kind?—They exercise very careful supervision.

432. When you spoke of benefactions just now, a benefaction, as I understand, by the Governors means a sum of money offered for the good of the parishes to be met by an equivalent sum from them?—To be met by a sum.

433. It was an equivalent sum?—No, for many years when benefactions first began—for the first 50 or 60 years—far larger benefactions were received than the grants made to meet them and then in certain years the Governors have been able to give an equivalent sum.

434. First there were larger grants?—Larger benefactions—far larger—I should think four or five times the amount of the grant.

435. You mean that that was in the early days?—Between 1830 and 1860.

436. Then there came a period when they were about equal?—I think it would be found that only in a few years have they been equal.

437. But as a rule, the benefactions have been in excess?—Yes, as a rule.

Lord Ashcombe.

438. With relation to Tenths and First Fruits, they are also payable by the bishops, are they not?—The bishops now pay an annual sum in lieu of First Fruits and Tenths.

439. And in the case of the larger Sees it is a substantial sum?—It is calculated at 1*l.* per

Lord Ashcombe—continued.

cent. in lieu of First Fruits and 17*s.* 6*d.* per cent. in lieu of Tenths. They pay 1*l.* 17*s.* 6*d.* on the income of the See.

440. Are you aware whether, when the Bishops' incomes were fixed by Act of Parliament, that special outgoing was ever considered?—That I am not aware of.

441. As the money is lent to the clergy, it is coming in now much faster than it is lent out?—Much faster.

442. Do you know how much?—Yes, the amount lent last year was 18,000*l.* odd; the amount of capital that came back was 39,000*l.* odd.

443. In former years, when things were prosperous, there was much less caution in lending money than there has been of late years?—There was. At the time of the 1868 report money was lent simply if it was asked for.

444. In those days it may have been considered an advantage for a benefice to have a large house?—I think so.

445. In the present day the experience of the Governors is that it is rather a drawback for a benefice to have a large house?—I think so.

446. Has money been lent sometimes to an incumbent who has left the living, and the new incumbent has not wanted the large house and has complained of the large expense he was put to for keeping up a house and for the loans payable to the Bounty?—There are many such complaints in connection with loans made in the very prosperous years of the Church Incomes—the '70s.

447. Those loans are diminishing from the greater care now being taken?—Yes, and also from the fact that the Governors obtained certain extension Acts and enabled, in those cases, the period to be increased during which the loan should be repaid.

448. Has the money of late years that has been offered for benefactions increased or has it decreased?—The money offered for benefactions largely increases almost yearly.

449. Do you know the last amount that was offered?—Last year the amount actually given to the Governors for small livings was 57,624*l.*

450. And three or four years ago I think some money was taken from the capital, that is to say, from the profits that had been made on investments to enable the grants to be made in full?—That is so.

451. But that was only done as an exceptional case. The last two years it has not been continued?—A very small amount was taken last year.

452. Nothing substantial?—No.

453. Therefore full grants have not been able to be made from the benefactions offered?—Full grants have not been able to be made for that reason.

Lord Barnard.

454. From a strictly legal point of view, your idea and the idea of the office is that First Fruits and Tenths are in the nature of taxation upon certain benefices granted by Parliament to the Crown, and that the Act of Queen Anne merely transferred the destination of that taxation from the

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the Crown to the Queen Anne's Bounty Board, to be expended in a certain way?—That is so, except that it was not the Act of Queen Anne which transferred these, because they were collected by the Exchequer for the Crown for many years. It was an Act of 1 Victoria which transferred the collection to the Governors.

455. But the consequence of that opinion is that the Governors have absolutely no option as to the amount or remission of that tax at all?—That is what Sir Richard Webster advised. He said that if in any individual case the Secretary and Treasurer failed to collect, the Governors need not proceed against their secretary or treasurer for not collecting, but there was no total remission possible.

456. And I think, consequently, no remission or increase, if such a thing were ever possible, could be effected in that form of taxation except by the same power which granted that taxation, namely, the Legislature?—That is the view taken.

457. I thought that was your view?—Yes.

458. With regard to the grants on benefactions from private individuals, supposing a man were to say to me: "I wish to give a site for a parsonage house, how am I to go to work? Should I be right if I said to him, "You can only do this through the medium of the Queen Anne's Bounty Board"?—It could also be done through the Ecclesiastical Commissioners now.

459. The other forms of benefactions to which you have alluded in your evidence I think can be effected in a somewhat similar way?—Yes.

460. Then in fact the figures which you have given by no means represent, in all probability, the whole, so far as you are aware, of the benefactions given to the endowed benefices?—Certainly not—they do not.

461. Practically then you are aware of this, that there are two bodies which have somewhat similar functions?—Yes, in that respect.

Mr. W. F. D. Smith.

462. I think you said at the beginning of your evidence as to this department that when the collection of first fruits and tenths is due a charge is raised, and that the charge is discharged by the collection of the money owing by the clergymen?—Yes.

463. I did not understand what you meant by that?—As a matter of book-keeping, the total amount which ought to come from the tenths is credited to the Revenue Account. It is a known sum. The receipts for the different amounts are written out, and as the sums come in they are written to the other side of the account. Then at any moment a balance can be struck, which shows what further amount has to come in, and that can be checked by the receipts which are remaining in the books to show that everything is in order.

464. It is purely a matter of book-keeping?—It is purely a matter of book-keeping.

465. How is the value of the living assessed at the present moment for the payment of the tax?—There has been no change in the assessment since the time of Henry VIII. The same sum that was then charged on the living is now de-

Mr. W. F. D. Smith—continued.

manded from the living. There has been no re-valuation or re-assessment.

466. Does the 4 per cent. which an incumbent pays upon a loan pay both principal and interest?—No, that is interest. The principal is paid off by equal instalments of capital, and interest is charged at 4 per cent. on the balance for the time being outstanding.

467. Within what time must the loans be repaid?—They must be paid in not more than 30 equal instalments. But the Governors have power to lend for any less terms they like, and most of the loans are for much shorter periods.

468. Am I to understand that the present Governor's of Queen Anne's Bounty do not regard the making of these loans as one of the objects for which the bounty exists?—They do not look upon the making of a loan as the augmentation of a benefice—as a bounty given to the benefice, because, as I say, they can only give their bounty to poor livings; but they can make a loan to the richest living in England.

469. Do they, in your opinion, consider that they are discharging a useful function to the living by being able to lend the money, or do they simply look upon it as a formal part of their business?—They look upon it as discharging a useful function; in fact, although the clergy have power to borrow from anyone else who is willing to lend, I think they could not do so at the same rate at all. It would be much more expensive to them.

470. The Governors do not make grants to livings, I understand, unless they are below the amount of 200*l.*?—No, they have no power to do so.

471. How is that?—That is regulated by the Royal Sign Manual. At first they made all livings under 10*l.* up to 10*l.*, and then increased that up to 30*l.*, 40*l.*, and 50*l.*

472. How is the value of the living found out at the present time?—By a commission which the bishop of the diocese, at the request of the Governors, issues to certain people who have knowledge of the living—the rural dean and others—and they make a return, which is signed by the incumbent, and the bishop verifies that return. He states that to the best of his belief it is true.

473. That would take into consideration the value of the tithes for the time being?—Yes; the tithe is valued at the current value for that purpose.

474. Is the 200*l.* calculated on the net or the gross value?—The net value after allowing for certain deductions.

475. Such as rates and taxes?—Rates and taxes, and an estimated amount for repairs and insurance, but not the stipends of curates, and other things which are not obligatory, but voluntary.

Mr. Stuart Wortley.

476. I think the amount of the tithe is taken at the current amount?—It is taken now by the Governors at the current value.

477. You spoke of a commission which issues for the purpose of testing the sales made. I did not understand quite in what cases. Do you mean testing the propriety of sales?—Where the incumbent proposes to sell glebe land through
the

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[Continued.]

Mr. Stuart Wortley—continued.

the Governors—that is, glebe land acquired through the Governors originally for the benefice—besides the valuation of a surveyor, the Governors get information through the medium of a local commission issued by the bishop upon the general merits and desirability of the sale.

478. Are those cases in which the sale has received the sanction of any other authority?—It has received the sanction of the Bishop and patron, and, if in the parish, of the Archbishop.

479. But not of the Ecclesiastical Commissioners, or the Land Commission in those cases?—No. In those cases the sales could have been made under the Glebe Lands Act, or through the Ecclesiastical Commissioners; there are concurrent powers of sale.

480. My point is this: that where the Ecclesiastical Commissioners, or the Land Commissioners, have sanctioned a sale, you do not subject the price proposed to the same review?—We should not then have anything to do with it.

481. You have not even the power?—We should not even hear of it. It would be sold through them.

482. But you receive the price?—No; the only case where we receive the price is on the sale of a parsonage house; not on the sale of land belonging to the living unless sold through the Governors. The sale of a parsonage house is always carried out in one way, *i.e.*, with the consent of the Bishop, patron, and Archbishop; that is to say, neither the Ecclesiastical Commissioners nor the Board of Agriculture can sell a parsonage house.

Mr. Humphreys-Owen.

483. Does what you said to Mr. Stuart Wortley apply to the cases in which the land sold has been originally purchased by a grant from Queen Anne's Bounty?—Yes, only to land which has been acquired through the Governors—that is either through a gift coming through the Governors, or by purchase from a grant given by the Governors.

484. In that case, must not, under any circumstances, the consent of the Queen Anne's Bounty be given, or can the property be sold under the Glebe Land Act?—No, an incumbent has concurrent powers. He can go under the Glebe Lands Act, or he can come to the Governors.

485. If he goes under the Glebe Land Act then you know nothing about it?—Then we know nothing about it. We sometimes hear of it, because we hold the deeds, and we are applied to in connection with them. We do not necessarily know anything about it.

Mr. Stevenson.

486. Can you state approximately how many benefices would be affected if the exemption from First Fruits and Tenths, which is now given to livings under 50*l.* a year, were to be extended to all livings under 200*l.* a year?—I cannot give an answer to that question, although I have tried, because there are no means of knowing what livings in England are under 200*l.* at present, and there could not be without the issuing of commissions by the Bishop of the Diocese. There are no means of knowing accurately.

Mr. Stevenson—continued.

487. Consequently you could not estimate even approximately what would be the pecuniary effect as regards Queen Anne's Bounty?—No, not without getting further returns from the Bishops of the values of all livings in their Dioceses.

488. I suppose the cost of collection is greater proportionately in the case of small amounts than it is in the case of large amounts?—I do not think so. The cost of collection is these two clerks' work, which consists in writing applications, and so on, and making receipts.

489. Do you find that in the case of the loans made under Gilbert's Act, and the succeeding Acts, you have never sustained any serious loss? I have not made out a table of the whole loss at the present moment, but the Governors are writing off a considerable amount—they are writing off, I think, about 500*l.* a year for the last ten years on an average, as losses.

490. Did I understand you rightly to say, in answer to the Bishop of London a few minutes ago, that as a form of investment, the Governors of Queen Anne's Bounty would prefer not to make these loans?—I think they would prefer not to. They are costly, troublesome, and it is a very unpleasant part of the business getting back the money from incumbents who find it difficult to go on paying. I think they would prefer not to have to make them if they could help it; but the clergy could not borrow in the outside market as cheaply. Therefore the Governors look upon it as their duty to make the loans.

491. Is that trouble or difficulty in any way due to the necessity for extending the period for repayment of the money lent on mortgage?—No, I think not. The Governors' tendency of late years, after careful consideration, is to make the terms rather shorter than longer, and to make the man who borrows pay a larger amount of what he borrows rather than throw it on his successors.

Sir William Anson.

492. You say it is costly to make these loans. Is there any way in which the cost can be reduced?—No, except by charging the individual clergyman, as used to be done. He used to be charged 10 guineas a loan in the time of the 1868 Report, afterwards 5 guineas a loan, and now the Governors do it for nothing.

493. Is there any means by which the machinery could be simplified so as to reduce the cost? You say the consent of the Bishop and patron have to be signified on parchment, and, I suppose, under seal?—Yes. I think a certain amount of cost might be saved, but an Act of Parliament would be necessary for it, because all the preliminaries, which are too intricate, if there are any, are Statutory Preliminaries; and therefore an Act of Parliament would be necessary to remove them. On the other hand, as the Incumbent is borrowing a sum the whole of which may have to be paid not by himself but by his successor, it is very necessary to tie him up very tightly with consents, and therefore I think it must always be a complicated matter.

494. The security is the income of the benefice?—Yes.

495. And

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[Continued.]

Sir William Anson—continued.

495. And that security you are quite sure of, except in so far as agricultural depression may reduce the value of the glebe and tithes?—Yes.

496. Then is not it, as a business transaction, a pretty good security for a 4 per cent. loan?—I should say it is a very bad security. It is repaid in instalments, which a borrower never likes. It is continually in arrear. More than a third of the cases are two or three months in arrear, and necessitate constant writing, instead of getting your interest on the day, and if you have to proceed to extremities, such as sequestration or distraint, it is a very unpleasant thing to have to do.

497. At any rate, it needs very careful supervision to see, not only that the security is good, and the instalments are paid, but that the building is such as not to be detrimental to the living?—Yes, very careful supervision.

498. It is a real boon to the Incumbent, I presume?—In many cases I think it is a real boon.

499. He could not get the money on the same terms from any other source?—That is what we believe. We tell him he can borrow elsewhere on the face of the first circular we send to him, and in two or three cases which have come before me in the last five years where he has tried to borrow elsewhere he has been asked 5 and 6 per cent, and then has come to the Governors.

500. The primary business of the Queen Anne's Bounty Board is the augmentation of livings, as I understand?—Yes.

501. And in order to do that they have in the first instance to take small sums from many of the livings in the way of tenths and first fruits?—That is so.

502. Would it be of any real value to the living to excuse the payments from a few shillings up to 2*l.*?—I think very little.

503. And it might complicate your accounts?—Well, it would remove a good number of sums from the account.

504. The Governors go entirely on income, do they not, in considering whether a living should receive a grant?—Yes.

505. They do not go upon the population?—They do not consider population so long as the living is one which in the opinion of the Bishop ought to be augmented, and ought not to be joined to another living. Such a question as that might arise, but otherwise they do not go on population.

506. Perhaps you can tell me this. Is not it the case that the Ecclesiastical Commissioners only augment where the population is of a certain amount?—Population, I believe, is one of the two elements they take into consideration; the population as against the income.

507. So that rural parishes are more especially benefited by the Augmentation Fund of Queen Anne's Bounty, because the population there is small, and the income very often smaller?—That is so. There are a large number of livings which, under the present system of the Commissioners, would not get anything from them because they have not a sufficient popula-

Sir William Anson—continued.

tion, but which do get grants from the Governors.

508. As I understand the Charter requires that the Governors should acquire their income by the collection of first fruits and tenths. They are advised that they may not legally excuse the payment of any of these small sums?—That is so.

509. As to the power of selling, do I understand that the Queen Anne's Bounty Board is the only Board which can really sell a parsonage house?—No; the only authority which can sell a parsonage house is the Bishop, Patron, or Archbishop. No central body—neither the Board of Agriculture, nor the Ecclesiastical Commissions, nor the Governors—are consulted.

510. As regards the sale of Glebe Lands; that may take place, through the Board of Agriculture?—Yes, except minerals. They cannot sell land with the minerals under it.

511. They would then hold the money for the benefit of the living?—The money is paid to the Board of Agriculture and is then invested in the names of the Ecclesiastical Commissioners for the benefit of the living.

512. And the Ecclesiastical Commissioners can authorise the sale of the land?—Yes.

513. Then they would retain the money in their own hands?—Yes.

514. And also the Queen Anne's Bounty?—Yes.

Earl of Aberdeen.

515. In answer to the noble Chairman, you stated the amount of grant under certain heads last year?—Yes.

516. I did not quite understand what was included in the grant of 34,000*l.* Can you remember what that generally included. I do not mean the details, but apart from the architectural grant?—The grants which were made last year were 34,810*l.*

517. What was that for generally?—Well, part of it will have been endowment and part building.

518. But not augmentation?—Yes, both for augmentation, part to be employed in building on augmented livings, and part to be kept for the endowment of augmented livings.

519. That is to say, the building of parsonages, apart from anything to do with the Church fabrics?—Yes; the Governors have nothing to do with the fabric of the Church.

520. Except the chancel?—Except the chancel under certain circumstances.

Lord Bishop of London.

521. You said just now that you did some of the same business as that done by the Ecclesiastical Commissioners. Is there a working agreement between the two bodies?—As regards sales there has been for many years an agreement that when an incumbent applies to the Commissioners for their consent to a sale they ask the Governors whether they hold the deeds on account of the land having been acquired through them, and if their reply is Yes, then they ask the incumbent to proceed through the Governors.

522. And

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[Continued.]

Lord Bishop of London—continued.

522. And the question of augmentation you undertake for one class of benefice, and the Ecclesiastical Commissioners for another?—It is not quite as much as that. The Governors do augment a great many which never would be augmented by the Commissioners; but they do augment some which would be also augmented by the Commissioners.

523. But there is no clashing between the two bodies?—There are a certain number of cases coming to them both. Taking the last year's lists of the Ecclesiastical Commissioners and the Governors in one-ninth of the whole number of cases the incumbents applied to both bodies.

524. But the two bodies are in communication?—Yes, in constant communication.

525. And their relations are harmonious?—Quite so.

Mr. Stuart Wortley.

526. Could you express approximately in figures the class of cases which received benefactions from Queen Anne's Bounty, and not from the Ecclesiastical Commissioners?—I cannot without having the list of the Ecclesiastical Commissioners before me. There are a good many which come below their limit of population as compared with income but get grants from the Governors.

527. You could not give the Committee that limit?—No. I think the limit of the Commissioners varies from year to year. The livings which will get a grant vary from year to year with the Ecclesiastical Commissioners.

Mr. Humphreys-Owen.

528. Can you give a second augmentation to a living so long as it is under 200*l.*?—The Governors can give any number of augmentations to a living till it is 200*l.* They cannot give more than 600*l.* in any one year, but they frequently do, and have built up livings from a very small income up to 200*l.*

Lord Ashcombe.

529. In the event of any friction arising between the two offices there is a means of communication by the Archbishop and the Bishop of London, both being important Members of both Boards?—That is so.

530. You would not be surprised to hear that that power of mediation has been exercised from time to time?—It has, I believe.

Chairman.

531. Now we will go, if you please, to the next branch of your business, namely, the Estates' management and securities. You are the owners of numerous freehold properties almost entirely leased on ground rents?—That is so.

532. What did the ground rents which you received in 1899 amount to?—46,492*l.* 2*s.* 11*d.*

533. With the exception of one estate at Newton Abbot, from which you receive about 1,604*l.* a year, those ground rents are collected direct by the office?—That is so.

534. Not through agents?—Not through agents. The Newton Abbot Estate is a little larger than in the draft I have given your Lordship. It is 2,250*l.* a year, not 1,604*l.* All the rest are collected direct from the office.

Chairman—continued.

535. And all estate questions are dealt with direct from the office?—That is so.

536. How many clerks are engaged in this particular work?—Two junior clerks and two supernumeraries.

537. Then there is the question of the care of the muniments in the Governors' keeping?—Yes, the Governors have a large number of documents in their keeping. Whenever an estate is bought for a living, the land is vested in the incumbent, but the deeds are kept by the Governors, and they have now the deeds relating to some 9,000 odd properties held for benefices.

538. You keep these in a strong room?—Those are all kept in a strong room.

539. I hope it is a strong room?—It is supposed to be fireproof. It was built under the superintendence of Captain Shaw.

540. Besides that, there are deeds relating to over 1,100 trusts by way of endowment?—Yes, the deeds of a large number of existing endowments are handed over to the Governors. It is a very useful provision, because it saves the re-appointment of trustees and the costs incident to that.

541. Then as to mortgage deeds, have you any of those?—There are about 3,000 mortgage deeds to the clergy now existing—rather more than 3,000. They are all there.

542. And there are also deeds and counterpart leases relating to the Governors' corporate estates?—There are some 4,600 leases and counterparts in connection with the Governors' own freehold properties, which are also in the strong room.

543. Is there a separate file for every benefice?—There is a separate file. In some cases two or three trusts are put in one file, but there is always a separate file for every benefice.

544. How many files are there?—82,441 separate files and bundles of deeds in the strong room.

545. Do you keep a good index?—We have an admirable index which was made 15 years ago. It is a card index. There is a card for every living in England, and on that card there are specified the different possible files which there may be, and if a file is opened for any particular trust it is entered on the card.

546. So that you can turn to any document that is wanted in a very short time?—Yes, if a solicitor calls and asks for a bundle of deeds I can get it in about three minutes, although it may not have been looked at for 40 years.

547. What do you do with the certificates of the Governors' securities and the deeds relating to their corporate property?—All the certificates of the Governors' stocks and the principal deeds of their property and the mortgage deeds in connection with any of their corporate mortgages are kept at their Governors' bankers, Messrs. Coutts and Co., in a special box which can only be opened by two keys—one in the possession of the chairman of the Finance Committee and the other key in the possession of the secretary and treasurer. They must be both present in order to open the box.

548. Do you keep an Estates Register of all properties?—We have a very carefully kept-up Estate Register of all properties acquired for livings.

549. We

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[Continued.]

Chairman—continued.

549. We were told just now that the Bishops had to make returns of all institutions to the office?—Yes.

550. Where do you get those?—Those are copied at the Bounty Offices into books. They are kept for a certain time; then, about every ten years, at the request of the Record Office, they are handed to the Record Office to be kept there as permanent records.

551. I suppose you answer every letter you get—straight, directly?—Every letter that comes to the office that is capable of an answer is answered on the same day.

552. Now, as to the Legal Department, under the Solicitors Act of 1874 you have power to appoint a barrister to be your solicitor, have not you?—Yes, in the same way as the other Public Departments have—the Treasury and other Departments. It is under the same clause that the Governors have power to appoint a person to act as their solicitor.

553. What have you done?—Immediately after that power the Governors appointed their secretary and treasurer to act as solicitor for certain purposes in connection with the mortgages to the clergy, but they did not use it fully till the year 1894 when they appointed me, in the first instance, to start a Legal Department, which should do all the solicitor's work of the office, dispensing altogether with an outside solicitor, and that has since been carried on.

554. What was the cost of a mortgage in 1868?—The cost of a mortgage was 10*l.* 15*s.*, your Lordship will find from the Report of 1868.

555. Who had to pay that?—The clergyman borrowing.

556. And in 1873 there was an alteration made?—Yes, all the work was then taken out of the outside solicitor's hands and brought within the office, and an amount of 1*l.* per cent. on the loan was charged, never to exceed 10*l.*, and never be less than 1*l.* It was generally about 5*l.*

557. And since 1893 what has been the practice?—There has been no charge at all.

558. That is a great relief to the clergy?—That is a great relief to the clergyman borrowing.

559. Your Legal Department carries on all gifts and purchases and all investments in mortgages or purchases of estate?—Yes, it carries all these through, including large loans on mortgage which the Governors have made from time to time.

560. How many clerks are there engaged?—A solicitor and three junior clerks, two of whom have been called to the Bar since they have been in the Governors' service, and one supernumerary, and, as chief clerk, I myself give a certain amount of time with the solicitor to any question that arises on which he wishes to consult.

561. What is the saving by this new arrangement of the Legal Department?—The Governors estimate the saving at about 1,500*l.* a year, of which 1,000*l.* would be to the Governors and 500*l.* to benefices.

562. You have some statement which you desire to hand in?—I have a summary for the (0.33.)

Chairman—continued.

last five years working—practically since the Legal Department has begun. (*Handing in same*).

563. Then about the architect and surveyor, you have told us there was an architect appointed?—Yes, there used to be an outside architect who was paid by the office, but now, for some years, the Governors have dispensed with one, except in very special cases, which are referred to an outside architect. On a rough computation the amount that has been saved through this official in the last three years, on a very moderate scale, would be 1,800*l.*

564. Do you think you could make a saving by having an architect of your own?—We have an architect of our own.

565. Altogether?—Altogether.

566. Is not he allowed to take work on his own account?—No, he is a salaried official. About six years ago the Governors precluded him from taking any further private work.

567. What is his emolument?—400*l.* a year he gets at present, but he will rise to 450*l.*

568. Now, about the Accountant's Department, what have you to say?—As to the Accountant's Department, there is one senior clerk in charge, and he has one junior clerk and one supernumerary under him. He also superintends the two clerks who are collecting the mortgage payments. He keeps all the books—all the ledgers, and he prepares the Annual Return to Parliament and the monthly accounts.

569. He keeps the general accounts and the subsidiary accounts under trusts?—Yes.

570. And the monthly accounts of the Finance Committee?—Yes.

571. Calculating and recording all purchases and sales of stock?—Yes. Frequently stock has to be bought for a living, but instead of buying it in the open market, the Governors transfer to the credit of that living a certain amount of the stock they hold on corporate account and *vice versa* if stock has to be sold for the living. By that means they save the living all the market costs of buying and selling.

572. How many open accounts have you got in your books?—There are over 8,400 open accounts according to the last Return to Parliament.

573. Then, about general matters, I see here an account of a comparative number of letters which were received and letters which were sent by you?—Yes. In the year 1868 I notice that the Governors kept no letter book, but at some date since they began one. I have taken out the letters received and the letters sent for the last three years. The letters received are about 28,700 a year, and the letters sent out are from 45,000 to 50,000 a year. That is, we receive nearly 100 letters a day and send out something like 150 a day.

574. That is quite irrespective of the number of 10,000 warrants which are sent out?—That is irrespective altogether of those.

575. You have a summary to hand in as to this?—I have a summary. (*Handing in same*.)

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576. Is

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Mr. LE FANU.

[Continued.]

Lord Bishop of London.

576. Is that irrespective of the formal applications?—No; a certain number of them are entered in bulk. They are all entered in the return, which includes the formal applications for tenths, mortgages, etc. Of course, they are not circulars, as there are quite different particulars in each.

Chairman.

577. The total amount of charges of management in 1899, including pensions to retired clerks, less fees received, I think you told us came to a little under 10,000*l.*?—9,979*l.*

578. What were the cash receipts in 1899?—674,250*l.*

579. What were the cash payments for the same year?—645,802*l.*

580. What percentage would the charges of management come to upon those figures?—If it is taken on the total receipts and payments it would come to 15*s.* 1*d.* per cent. If you take them on the total receipts, not taking into account the cash payments, they come to 1*l.* 9*s.* 7*d.* per cent. In 1868 they were about 2½ per cent.

Sir William Anson.

581. Do the number of letters afford a fair means of judging of the work of the office?—I think they do; most of these letters are letters which require careful consideration, and relate to separate matters.

582.—Relating to business which may grow out of the letter?—Yes, relating to various businesses.

583. The letter which is written in reply does not represent the conclusion of the business?—No.

584. They relate to legal business and other business which has to be done in the office?—Quite so.

Mr. Stevenson.

585. What portions of these letters would be preliminary applications under Gilbert's Act?—I gave the figure previously—that about 2,140 letters pass through the clerk's hand who attends to that particular department. The actual number of applications would be much less.

586. Of course, you mean there is a great deal of correspondence subsequently to that, I suppose?—Yes. Each loan means a large amount of correspondence.

Mr. W. F. D. Smith.

587. I take it that the cost of a mortgage is about half what it was to the incumbent?—He pays nothing now. For a number of years he has paid no costs at all.

588. I thought you said he paid 5*l.*?—That was from 1873 to 1893. Since then he has paid nothing to the Governors. He pays a small fee to the Diocesan Registrar, who registers the mortgage. That is a statutory fee of 12*s.*

Lord Barnard.

589. Who signs the letters?—The Secretary and Treasurer signs, or if he is not there the Chief Clerk signs.

590. A draft is kept of every letter?—Yes, a draft is kept of every letter.

Lord Barnard—continued.

591. Who settles the draft?—The draft is first prepared by the clerk to whom the letter is referred. It is settled by the Secretary and Treasurer or by the Chief Clerk.

592. No letters go before the Governors themselves?—No, no letters go before the Governors themselves, except on some special matter for the Board. There may be one or two occasionally.

Lord Ashcombe.

593. Up to the time of the last conversion of Consols the large amount of property of the Governors was invested in Consols?—That is so.

594. At that time there was considerable annoyance to the clergy on finding that their dividend was reduced to 2½ per cent.?—That is so.

595. Did the Governors think it very important at that time, considering the depressed state of things, and for other reasons, to keep up the payments, if possible to 3 per cent.?—That is so.

596. Was there a large sum of Consols sold at the time?—Yes; I shall come to that further on in my evidence.

597. And the result was that the proceeds were invested in other securities?—That is so.

598. Partly ground rents?—Yes.

599. And partly mortgages?—Yes.

600. And partly what was called first rate stockbroker's securities?—Trustee securities.

601. I think in these transactions, as to the trustee securities, the advice of Mr. Gilliat as a bank director was taken?—It has been taken on every investment since 1890.

602. Is it your opinion that the knowledge that for the present, at any rate, they will still receive 3 per cent. has reduced the complaints of the clergy?—That is so.

603. What effect has that change had on the office in the way of business?—It has increased the amount of business in the office, no doubt.

604. Now, about what sum of money do you invest every year—what surplus?—There is an increase of the capital of the Governors which has to be invested every year—I think about 150,000*l.* a year.

605. Some portion of that is from the redemption of tithes?—About 50,000*l.* a year comes from the redemption of tithes.

606. It is a considerable difficulty now to find any securities in which to get 3 per cent.?—Great care has to be taken, and is taken.

607. But on the whole, you think the change has been desirable for the office?—I think so.

Lord Bishop of London.

608. The office began, first of all, with the First Fruits and Tenths to distribute?—Yes.

609. Do you say that the amount of that is about 16,000*l.* per annum?—Yes.

610. But the amount distributed by the Governors is very much in excess of that?—Yes.

611. From what source does that come?—That comes from the difference of interest between what the Governors get on their investments and the interest they pay the clergy. There is a margin.

612. Then

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Mr. LE FANU.

[Continued.]

Lord Bishop of London—continued.

612. Then when they make a grant for augmentation of a benefice they grant so much money, do they?—They grant so much money.

613. And the annual interest is paid to the incumbent?—That is so.

614. The amount so granted is held in common?—It is held in common under the Sign Manual of 1890.

615. You do not allot it to each particular benefice?—A sum of money is allotted in the books, but no specific investment is made for any particular benefice.

616. All the money of the Governors is held in one sum?—On corporate account.

617. And the amount of interest accruing is divided?—Yes. A certain rate of interest is paid to the clergy, and any balance over goes to augment the surplus to be given away in grants the next year.

Sir William Anson.

618. There are some of these securities which are certainly not trust investments. Are those securities which have come to your hands as benefactions, for instance, Uruguay 3½ per cent. and Hungarian 4 per cent. On page 10 of your Annual Report you will find rather a miscellaneous set of securities?—Yes. I am glad you asked the question as to that. When a gift is made to a living of any security the Governors will take it. Those securities on page 10 and page 11 are specific securities held for specific livings. So far as that goes I have to modify what I said in answer to the Lord Bishop of London. If a specific security is given to a living it is kept for the living, and therefore there are many there which are not trustees' securities. Those are not investments of the Governors' corporate funds.

619. The Governors do not think it right to shift the investment if they think the security is a doubtful one?—Not unless with the consent of the incumbent.

Mr. Stuart-Wortley.

620. Are you still buying ground rents?—Yes, a certain amount. You will find in the Returns to Parliament an increased amount of ground rents from year to year.

Mr. Humphreys-Owen.

621. Is the amount of your capital increasing? Are you transferring year by year larger sums to capital account?—Yes, for instance, we receive large amounts of money on capital account from tithe redemptions.

622. But putting those aside, you do not distribute the whole of your income, but you carry some to the capital account?—We distribute it in the sense that we appropriate it to livings, but it is still kept in the Governors' hands for those livings. It is appropriated in the books to livings, but it is not paid away. It is kept as capital for the livings. That is how it has always increased from the beginning. That was the foundation of the system, that they did not charge the income that was coming in, but they capitalised it.

(0.33.)

Chairman.

623. How are your finances now kept? Messrs. Coutts and Co. are your bankers?—Messrs. Coutts and Co. are our bankers.

624. You keep a separate account of income and capital?—Yes, there is a separate account of income and capital.

625. Who signs the cheques?—The cheques are signed by the Secretary and Treasurer and countersigned by the Chief Clerk, or, in the absence of the Treasurer, they are signed by the Chief Clerk and one senior clerk, and countersigned by a second senior clerk.

626. They do not come up before the Governors in any way at all?—None of the Governors sign cheques at all.

627. Are any cheques signed which are not passed by the Governors?—There are certain small items in the administration which would not come before them on any minute. In connection with the legal department, for instance, costs' cheques would go through as a matter of administration and not be all entered out in the minutes.

628. The Governors do not sign an order to pay so much to the credit of so-and-so?—Yes, each month the auditor suggests a sum which he thinks the bankers should be told to make a limit, up to which they are to honour cheques. That is passed by the Governors each month. At the end of the month the auditor reports what cheques have been signed, by whom they have been signed and how much of the credit is exhausted, and then we begin again for the next month.

629. Take the case of a large exceptional payment—a large sum for an investment in ground rents or anything of that kind, that would require a special minute?—There would be a special minute as to that asking the bankers to pay it specially.

630. About the ordinary petty cash payments, how are they made?—There is a sum of 100*l.* which is the only cash kept in the office during the night. That sum is drawn out at the beginning of the year from the bankers, and then at the end of the month the Governors have an audited account of what petty cash has been spent out of that, and the 100*l.* is made up again.

631. Then when you receive large sums of money do you receive them at the office or are they paid straight to the Bankers?—Everything that can be so received with convenience is paid to the bank—almost all sums of capital are paid direct to the bank. Authorities are given to the payer to pay it to Messrs. Coutts and Co.

632. As to interest and dividend warrants, are they paid direct to the bankers?—Yes, they are paid direct to the bankers.

633. All the First Fruits and Tenths, of course, cannot be paid to the bank?—No, they cannot be paid to the bank, because if they were they would get into confusion as to exactly what livings they were paid for.

634. But you receive them?—We receive them.

635. And pay them into the bank directly after?—The same day. The Secretary and Treasurer

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Mr. LE FANU.

[Continued.]

Chairman—continued.

Treasurer opens all the letters and puts aside the cheques and money orders and cash; they are crossed at once with the bankers' name and entered on paying-in sheets and paid in every night.

636. Then you have told us that security is given by the Secretary and Treasurer in his own bond for 6,000*l.*?—Yes.

637. And guaranteed for 2,000*l.* more?—No, he gives guarantees for 6,000*l.* The Chief Clerk gives security up to 2,000*l.* through a Guarantee Society, and all the clerks give guarantees to the amount of double their salaries.

638. Then I see there is a monthly change in the junior in the cashier's department?—That is so.

639. That is in order to prevent all mistakes?—That is in order to prevent all mistakes and in order to prevent any one of the juniors getting any sort of improper control—he is shifted.

640. Who gives the receipts for the money that you receive?—Every receipt must bear two signatures; first, the signature of the clerk who enters it in the cash book: "Entered so-and-so," and then on that signature being there it is signed by the Treasurer, or in his absence by the Chief Clerk. It is stated on the receipt that it must bear two signatures, so that if there is any slip it would be sent back.

641. I suppose you keep a special letter book for registered letters?—We keep a special letter book for registered letters, and whoever takes the letter in from the postman enters his name as taking it in, and discharges himself by handing it to the Chief Clerk or Treasurer.

642. You say that all letters received are opened in the presence of the Secretary or in his absence in that of the Chief Clerk?—Yes, Mr. Aston's habit was to commence opening letters shortly after 9 o'clock so as to have them ready for the clerks at 10.

643. You have something to say about the investments under the Second Charter?—Yes; as to the system of investments, the Second Charter provided that the money when given to a living should be invested in the purchase of land for the living, and that was usually done during the last century, but sometimes a purchase of land could not be found and then the Charter provides that the money should be put out at interest—the words are "upon some public fund or other security" till they can invest it in a purchase. The interest so earned first went to the Governors' fund, but after a time they allowed a certain interest to the clergyman until he found a purchase, and that interest is varied. For 70 or 80 years they only allowed the clergyman 2 per cent.

644. What is the nature of your investments?—The powers of investments are slightly larger powers than trustees have. The Charter gives power to buy land and under that the Governors have bought ground rents. Some years ago they got a power from the Crown to invest in Colonial stocks, which are not yet a trustees' security. They hold a certain number of them, but I think all their other investments are trustees' securities. Then there are mortgages, too, but in those cases the Governors do not lend as much as trustees are entitled to lend. They only lend a half and not two-thirds.

645. Then you have a great many freehold

Chairman—continued.

ground rents?—The Governors have purchased a considerable amount of freehold ground rents.

646. As to the whole of those securities, are they annually produced to the Governors' auditor?—They are at the Governors' bankers.

647. In the case of inscribed stocks at the end of each year are the certificates produced to the auditor by the Bank of England?—The certificates are so furnished by the Bank of England, and the other offices concerned.

Mr. Stevenson.

648. What is the meaning of "Penalties 27*l.* 15*s.* 10*d.*" on page 11?—The bishop has power through the chancellor of his Court to inflict penalties upon an incumbent for non-residence, among other things. These particular penalties, I think, were in connection with a living in Lincolnshire, where the incumbent had gone away for a long time, and, I believe acted as a volunteer instructor in musketry, but that was paid in last year.

649. Why should the Queen Anne's Bounty have to pay it?—It does not pay them. They come in to Queen Anne's Bounty. There is a certain Act which says the bishop shall direct what shall be done with them. He directed in this instance that they should be paid to Queen Anne's Bounty and kept as capital of the living.

Mr. Stuart-Wortley.

650. As to the opening of letters, in Mr. Aston's time the practice was for him to open the letters?—Yes, he always opened the letters with certain clerks to help him.

651. He had somebody by him?—Yes. Two of the junior clerks attend in rotation at half-past nine in the morning, to be there at the opening of the letters.

652. Do you recommend the continuance of that practice?—I think it is the best practice; there are large amounts of cash always coming in, and there must be somebody responsible there to open the letters. It could not be any one at a small salary.

653. What is your principle of valuation of securities? Do you allow any margin for fluctuations?—The securities appear here in the annual return to Parliament at their nominal. In the Governors' books they stand at the price at which they were bought, the cost price. They are annually valued at the medium price of the day on the 31st December—a list is got from the Governors' Bankers which is supplied by the Governors' Brokers, Messrs. Capel, at the medium price of that day, and an annual return is made and put before the Finance Committee of the value of the stocks on that day.

654. For the purpose of measuring your assets as against your liabilities which valuation do you take?—You take the valuation of that particular day each year to consider how you stand, but the value in the books is not altered.

Lord Barnard.

655. Has there ever been in recent years, within your knowledge, any independent enquiry or examination into the financial arrangements of the Governors?—In the year 1890 or 1891 Mr. Frederick Whinney, a chartered accountant of the City of London, made an exhaustive examination

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Mr. LE FANU.

[Continued.]

Lord Barnard—continued.

nation of the system of book-keeping of the Governors, and made a report thereon, and said he could suggest no alteration.

656. Have you ever had any difficulties with any of the staff? Has there been any embezzlement, or anything of that kind?—There have been cases. In 1890 there was a clerk who embezzled a considerable sum of money.

657. But when a difficulty of that kind arises, is it reported at all to the Board?—Yes, that was gone into very fully at the time.

658. With regard to letters enclosing postal orders and cheques, they are dealt with just like ordinary letters. Is a register kept of incoming letters?—A register is kept of every letter that comes in.

659. And that states when there is any enclosure of any value?—Yes.

660. Those cheques and postal orders are paid into the bank the same night?—Yes, they are paid into the bank the same night. They are all crossed, the moment they are opened, with the banking stamp.

661. Do you employ a broker direct, or do you deal with the broker through your bank?—The instructions are always given to purchase through the bankers. Messrs. Capel are the Governors' brokers.

662. Are you familiar with the practice of the Official Trustee of Charity Lands and the Official Trustee of Charitable Funds?—I am not.

663. When ground rents are purchased, in whom is the legal estate vested—in the Corporation?—In the Corporation.

664. Who has, then, power to deal with them?—The Corporation.

665. Under seal, I suppose?—Under seal.

666. In whose name are stocks bought?—The Governors'.

667. How do they sell them?—They would be sold under seal.

Mr. Stuart-Wortley.

668. The documents can be sealed at any ordinary meeting?—At any General Court.

Lord Barnard.

669. Who has the custody of the seal?—The Secretary and Treasurer. It is kept in a safe of which the Secretary and Treasurer has the key.

Chairman.

670. Now I think we have got pretty nearly through all the evidence which you wish to give, but I want to ask you one question at the end of it all, after what you have said—a great part of your work is quite independent of and quite distinct from the work of the Ecclesiastical Commissioners?—Yes, a great deal of it.

671. On the other hand, a great deal of it is exactly on the same sort of footing?—A certain amount of it is on the same footing in the sense that we are both augmenting livings though we differ slightly as to our grounds. We are both agreeing to the sales of land, but never to the sale of the same land.

672. You are both doing the same work as I understand?—We are doing analogous work—

Chairman—continued.

not the same work. We are not in the same cases in fact.

673. I am only asking for your opinion; do you think it would be an advantage that these two bodies should be joined in one?—I do not think there would be any saving in economy in their being joined as far as I can find out. I have tried to make an estimate of how much of the office work is purely distinct from anything represented in the office of the Ecclesiastical Commissioners, and how much is in some way connected with analogous work, and I make out that about two-thirds has nothing to do with the Ecclesiastical Commissioners, and about one-third has something to do with them. That would leave a possible margin of about 3,000*l.* a year on which you might possibly make a saving, but I do not think any would be effected.

674. In those cases where you are doing pretty much the same work, do you think there is any clashing between the systems of the two bodies?—I think not. I do not think there would be a saving of any clerks if we were amalgamated.

Lord Ashcombe.

675. As to the Tenth and First Fruits I think there is still a sum paid over by the Ecclesiastical Commissioners, viz.: The Tenth and First Fruits on suppressed prebendaries?—Yes, on vacant prebendaries.

676. That could not be done away with without the authority of an Act of Parliament?—No, it was imposed by Act of Parliament shortly after the Commission started.

Lord Barnard.

677. Do any disadvantages occur to your mind which would result from the two bodies being not amalgamated but brought into closer co-operation?—There are certain ones which occur to my mind; but I do not think they are with regard to efficiency or economy—they are on other grounds.

Mr. W. F. P. Smith.

678. I suppose there are cases in which the Ecclesiastical Commissioners and the Governors of the Bounty act together?—Yes; there are a certain number of cases undoubtedly in which both parties have to act; for instance, to approve plans, but they are a small percentage of the total cases. In those cases there would be some saving of convenience.

679. Are there cases in which both bodies make grants?—Yes, to the same living. A certain number of cases.

680. Only under different conditions?—Yes, slightly. Some of the grants would be made on the same conditions.

681. I do not think we have heard what the office hours are?—10 to 4, but in that report which I have handed in, the sub-committee which considered it carefully considered whether they should make the hours 10 to 5, but they found from the returns and attendance book that the average time for the clerks leaving was 25 or 20 minutes to 5; not 4. In fact, the clerks have to stay until the work is done without extra pay, and they do stay, and the committee report that

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[Continued.]

Mr. W. F. D. Smith—continued.

that it is better to leave it so than to make the hours longer, when the clerks would leave punctually at 5 o'clock.

Lord Ashcombe.

682. When plans have been passed by the Ecclesiastical Commissioners they are not closely scrutinised again?—No, there are generally no alterations insisted on—only sometimes suggestions are made upon them.

Mr. W. F. D. Smith.

683. What provision do you make in the middle of the day for lunch?—No clerk is allowed to be out more than half an-hour for lunch. A considerable number, about half, bring their own lunch with them. That is not insisted upon, because at present we have no room to give them for a luncheon room. They have to have their lunch at their desks if they bring it.

684. I do not think you stated what the scale of pensions was, or if there was any scale of pension?—Yes, it is the same as the Civil Service, one sixtieth for each year of service, never to go beyond two-thirds.

Mr. Stuart Wortley.

685. As regards your premises are you able to conduct your business in your present premises without enlargement?—They are being enlarged at present. The Governors had intended to enlarge them and then the Vestry of St. Margaret's, Westminster, wished to widen Great Smith Street, and the existing buildings of the Governors at the back had to be pulled down and also the space on which they intended to build was considerably curtailed. There was an arbitration and the sum of money awarded has been spent in building.

686. Then you have just made an enlargement of your premises?—We are making it. It is not complete yet. A part of the staff is still in temporary offices.

687. Apart from what may be called internal considerations of economy and the rest of it, have the clergy or any other outside parties ever complained of the separation of the two departments?—I do not think there have been two letters complaining of any delay from having two departments to deal with, which have come before me in the last year.

688. You did not hear of them?—No.

689. I mean parties saying that they did not know which body to go to and the like?—No, they sometimes write, and we have to refer them to the other body, but whether or not they complain of that I do not know. They do not complain to us.

Mr. Humphreys-Owen.

690. You told us that in a general way you are not guided by the population in the same way as the Ecclesiastical Commissioners are. You could tell us in a little more detail what principles the Board go upon when they have to consider questions as to the allotment of their gifts?—They have a full list before them of every living that has applied for a grant. It is carefully seen that the living is augmentable, *i.e.*, under 200*l.* a year, but, subject to that, the Governors

Mr. Humphreys-Owen.

have of recent years given some amount to each living. They would take precautions if there were any reason to think that it was a living that ought to be joined with another living. They would inquire into that before they augmented it.

691. Suppose there were two livings approximately similar in population and in income what would be the considerations which would guide them if they could only allot something to one of them?—That question has not arisen of late years at all, because they have allotted something to each living that has asked for it; but I think they would give the preference to building cases. They used to do so; that is, if the money were wanted for the building of a parsonage house, they would give the preference to that over endowment, but I think otherwise there would be no preference.

Mr. Stevenson.

692. Are they in written formal communication with the Ecclesiastical Commissioners, or are the communications mostly by word of mouth?—Most of them would be written, but we frequently do make inquiries by word of mouth.

Mr. Humphreys-Owen.

693. Do you require absolute evidence, when a man makes his first application that his living is not augmentable or only a *prima facie* case?—When he first makes his application he has to show a *prima facie* case. If he is promised a grant he has to show that absolutely. Occasionally after he has been promised a grant he is found to be over the limit. Such a case as that occurred this year.

Sir William Anson.

694. Supposing an application where several livings are competing for grants they have all to be within the 200*l.* a year limit?—Yes.

695. Then do you consider the population?—No, the Governors have never considered population as an element in their minds.

696. But they have considered the comparative poverty of the living?—They have considered the comparative poverty of the living.

697. And the absence or presence of a parsonage house?—Yes.

698. But you leave out the population altogether?—The population has never been considered.

699. Whereas it is so considered by the Ecclesiastical Commissioners?—It is so considered. I think their duty was to increase livings in populous parishes, and the Governors to increase in poor parishes.

700. Are your premises freehold here?—Yes, they are freehold.

Earl of Aberdeen.

701. Have you had occasion to institute any kind of check against applications to the Ecclesiastical Commissioners and yourselves without the respective bodies being aware of the fact?—We frequently advise an incumbent to apply to both bodies on the chance of getting a grant from one or other, but the moment the Ecclesiastical

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Mr. LE FANU.

[Continued.]

Earl of Aberdeen—continued.

Ecclesiastical Commissioners have made their grants, a list of them is sent the same day to the Governors, and there we see at once whether there is anyone in our list also, and if so he is at once communicated with.

702. And you do the same to them?—We do the same with them.

Lord Barnard.

703. Are your premises sufficient for your purposes?—They will be sufficient when we have got the new buildings.

704. You have not told us anything about the holidays of the staff, but perhaps they are the usual holidays?—The holidays of the staff have been recently also reconsidered by the Governors. The holidays have been always up till now 48 days, but the Governors now recommend that they should be the same as the Civil Service.

Lord Barnard—continued.

705. On Saturday afternoons what are your hours?—Ten to two are the hours on Saturday, and ten to four all the year round on other days.

Chairman.

706. That paper which we have received has been passed by the Board?—Yes.

707. Will you hand it in?—Certainly. (*The same is handed in.*)

708. I have received sundry letters from gentlemen complaining of the way in which the Board has treated them. I think my best plan will be to hand them to you, and you will lay them before your Board. I have simply acknowledged them, and said that they would be laid before the Committee. I will hand them over to you, and you will lay them before your Governors, and when we meet again you will let us know what the answers to them are? (*Handing letters to Witness.*)—Certainly.

The Witness is directed to withdraw.

Adjourned.

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A P P E N D I X.

APPENDIX A.

AS TO THE CONSTITUTION.

THE origin and history of First Fruits and Tenths in this country are well known.

By Act of Parliament, 26 Henry VIII., the First Fruits and Tenths were annexed to the Crown. This Act was repealed by the 1 & 2 Philip and Mary, but the First Fruits and Tenths were again annexed to the Crown by an Act of 1 Elizabeth, and they continued to be part of the revenues of the Crown until the reign of Queen Anne.

Bishop Burnett, in the history of his own time, gives the history of the appropriation by Queen Anne of the revenues derived from First Fruits and Tenths to the augmentation of small livings.

By the Act 2 & 3 Anne, c. 11, the Queen was empowered by Letters Patent to incorporate such persons as Her Majesty should appoint to be a body politic and corporate, and to have a common seal and perpetual succession, and also to settle upon such corporation all the revenues of First Fruits and Tenths.

The Act also contains a most useful provision (which may be regarded as the foundation of all subsequent legislation on the subject), that, for the encouragement of such well-disposed persons as shall, by Her Majesty's example, be moved to contribute to so pious and charitable a purpose, and that such charity may be rightly applied, all and every person and persons having in his or their own right any estate or interest in possession, reversion or contingency, may, by deed or will, give and grant to the Corporation lands, tenements and hereditaments, goods and chattels towards the augmentation of the maintenance of the clergy; and the Corporation was empowered to purchase, receive, take, hold and enjoy, as well from such persons as shall be so charitably disposed to give the same, as from all other persons willing to sell any manors, lands, tenements, goods and chattels, without licence in mortmain.

By the Letters Patent the distinguished persons therein named were incorporated by the name of "The Governors of the Bounty of Queen Anne for the Augmentation of the Maintenance of the Poor Clergy," and Her Majesty granted to them and their successors, her revenues of the First Fruits and Yearly Tenths, to be applied for the use of the poor clergy; and it was provided that seven of the said Governors (of whom a privy councillor, a bishop, and a judge, or a counsel learned in the law, should be three) should be a quorum; and the said Governors, and their successors, were further directed to receive, manage, govern, apply and dispose of the Royal Bounty, and other gifts and benevolences which might thereafter be given or bequeathed to the Corporation, where the donors thereof should not particularly direct the application thereof, to or for the increase of the maintenance of the clergy.

The Archbishops of Canterbury and York, and the Bishops of sees within the provinces, except the Bishop of Sodor and Man.

The Deans of the Cathedral Churches within England.

The Speaker of the House of Commons.

All the Privy Councillors.

The Lord Lieutenants of the several counties in England and Wales.

The Custodes Rotulorum of the several counties in England.

The Lord Chief Justice and the several Judges of the Queen's Bench.

The Master of the Rolls.

The Queen's Serjeants-at-Law, the Attorney and Solicitor-General, the Queen's Advocate, the Queen's Counsel in the Law.

The Chancellors and Vice-Chancellors of the two Universities.

The Lord Mayor and Aldermen of the City of London, the Lord Mayor of the City of York, and the Mayors of the respective cities within the kingdom of England.

The Officers of the Board of Green Cloth.

The Clerks of the Privy Council.

Certain Governors elected under a power in the First Charter to elect persons contributing to the augmentation of the maintenance of the poor clergy.

In accordance with the provisions of two Acts, 5 & 6 Anne c. 24, and 6 Anne, c. 27, about 3,900 poor livings under 50*l.* a year were discharged from First Fruits and Tenths; and the revenue of Tenths was thereby reduced to about 10,000*l.* a year.

In consequence of a representation that certain inconveniences arose from the First Charter requiring that of the quorum of the Governors there should be present a privy councillor, a bishop and a judge, or a counsel learned in the law, a Second Charter was granted on 5th March, 1713, by which an addition was made to the Governors, and it was provided that any one of the persons mentioned in the First Charter to be of the quorum, and six other Governors should make a quorum for the future. The Charter also contains numerous rules which the Governors had proposed for confirmation.

First Charter
3rd November 1704.

Names of titles of
the present
members of
Corporation.

(By Act 1 Vict. c. 20,
s. 16), the Bishops
of any sees which
may hereafter be
founded in England
and Wales are to be
(Governors).

Second Charter,
5th March 1713.

(Act 28 & 29 Vict.
c. 69, provides an
alternative quorum
of five, three of
whom shall be
archbishops or
bishops.)

The first four of such rules are as follows:—

“1. That the augmentations to be made by the said Corporation shall be by the way of purchase, and not by way of pension;

“2. That the stated sum to be allowed to each cure which shall be augmented be 200*l.*, to be invested in a purchase at the expense of the Corporation;

“3. That the Governors shall begin with augmenting those cures that do not exceed the value of 10*l.* per annum, and shall augment no other till those have all received our Bounty of 200*l.*, except in the cases and according to the limitations hereafter named;

“4. That in order to encourage benefactions from others, and thereby the sooner to complete the good that was intended by our Bounty, the Governors may give the said sum of 200*l.* to cures, not exceeding 35*l.* per annum, where any persons will give the same or any greater sum or value in lands or tithes.”

1 Geo. I. c. 10.

Some of these rules have been from time to time varied by rules approved under the Royal Sign Manual, and such rules are by the Act 1, Geo. I., c. 10, s. 3, as good as if established under the Great Seal.

There were originally two modes of augmenting poor livings, first, by lot, and, second, by meeting benefactions.

By the first method poor livings were successively raised to the annual value of, first, 10*l.* and then 20*l.*, 30*l.*, 40*l.*, 50*l.*, and, finally, 60*l.* Each donation or lot was limited to the sum of 200*l.*, which was laid out in land for the living augmented at the expense of the Corporation.

In carrying out the second method of augmentation to meet benefactions, the rules as to the value of the living to be augmented have been altered from time to time as the small livings have become augmented. For instance, at first those livings, not exceeding the yearly value of 35*l.*, and afterwards those not exceeding 45*l.*, 60*l.*, 80*l.*, 100*l.*, and, finally, 200*l.*, were and still are augmented with a sum of from 100*l.* to 600*l.*, where any person, in order to obtain the Bounty, contributes an equal or a greater sum.

43 Geo. III. c. 107.

By an Act of Parliament, 43 Geo. III., c. 107, the Governors were enabled to apply money appropriated by them to the augmentation of any living, or any part thereof, in or towards the building, rebuilding, or purchasing a house, or any other proper erections within the parish, convenient and suitable for the residence of the minister thereof.

Parliamentary
Grants.

Between the years 1809 and 1820 eleven annual sums of 100,000*l.* were granted by Parliament in aid of the fund already vested in the Governors, to be appropriated according to the rules and regulations by which the funds of the Corporation are governed.

The whole amount of these grants has long since been appropriated, together with a large sum derived from benefaction, in augmenting poor livings. A large part of the appropriated moneys was laid out in the purchase of land for the benefit of the incumbents of the livings augmented, or in building or purchasing parsonages for their residences.

Sign Manual, 13th
July 1829.

By a rule under the Royal Sign Manual, adopted in 1829, the Governors limited the purchases to land in the parish of the augmented living, or the adjoining parish, unless an extraordinary advantage may be obtained for the incumbent of the augmented living, in which case lands at a greater distance may be purchased.

Sign Manual, 3rd
March 1836.

In 1836 the following rule, under the Royal Sign Manual, was passed:—

“That the said Governors may appropriate, if they shall think fit, the whole or any part of the moneys, of which they may have the disposal in each year in respect of the Royal Bounty Fund, in grants of 200*l.* to livings and cures not exceeding the improved yearly value of 200*l.* fixed and certain, where any person or persons, in order to obtain the Bounty, will give a benefaction of 200*l.*, or a greater sum in money, or the value thereof in lands or tithes, or a clear yearly rent-charge or annuity of 15*l.*, but nevertheless that the said Governors shall not be restricted from the exercise of the power which they now have of augmenting without lot any such livings and cures, being fitly qualified, as do not exceed 50*l.* per annum, and by lot any such livings or cures as do not exceed 60*l.* per annum, if the said Governors shall in any cases think fit so to augment the said livings and cures respectively.”

The Governors seeing the great advantage of the system of grants to meet benefactions, have, since the passing of the last-mentioned rule, appropriated nearly the whole of the moneys at their disposal in that way.

The benefaction and grant with which a living is augmented are placed to the credit of the living in the Governors' books, and interest is paid to the incumbent, unless the capital is laid out either in the purchase for him of lands, tithes, or a parsonage, or in building a house of residence with offices, or in the redemption of land tax charged on the possessions of the benefice.

In

In 1898 a rule under the Royal Sign Manual was made fixing the Governors' minimum grant for building or endowment purposes at 100*l.* instead of 200*l.* as theretofore.

The average amount of the Governors' yearly grants for the last twenty years is 28,332*l.*

The following account of the total amount of the grant by the Governors from both the Royal Bounty and Parliamentary Grants Funds, and of the benefactions received from the establishment of the Corporation to the end of the year 1899, shows that poor benefices have been augmented with the capital sum of 7,543,611*l.* 6*s.* 9*d.*—

Total Grants and Benefactions to 31st December, 1867 (<i>see</i> Parliamentary Paper, 1868, No. 439, page 59)			£	s.	d.
			5,790,930	5	10
Grants, 1868 to 1899 inclusive			£	s.	d.
			774,850	0	0
Benefactions in Money, Stock, Hereditaments, &c.			£	s.	d.
			940,824	15	11
Benefactions in annual value, worth			£	s.	d.
			37,006	5	0
			977,831	0	11
			1,752,681	0	11
Total			£	s.	d.
			7,543,611	6	9

This result may be mainly attributed to the principle of augmentation which formed one of the rules of the Second Charter granted by Queen Anne, and has ever since been followed, "that the augmentations should be by way of purchase, and not by way of pension"; in other words, that they should be in capital sums, and not annuities. Had the pension or annuity system been adopted by the Governors of Queen Anne's Bounty, the whole income of First Fruits and Tenths would have been appropriated within a few years after the institution of the Bounty, the Governors would have been deprived of those means by which they have secured so large a property to the Church, and the augmentation of livings by Queen Anne's Bounty would have immediately come to an end.

Notwithstanding the establishment of Queen Anne's Bounty, the collection and receipt of the First Fruits and Tenths remained with the officers of the Court of Exchequer, and so continued till the first year of Her present Majesty, when a Select Committee was appointed "to inquire into the constitution of the Boards connected with the receipt of First Fruit and Tenths, and administration of Queen Anne's Bounty," and on the report of such Committee the Act 1 Vict., c. 20, was passed, by which the Treasurer of Queen Anne's Bounty was appointed sole collector of the First Fruits and Tenths.

1 Vict. c. 20.

By the Act 17 Geo. III., c. 53 (commonly called Gilbert's Act), and by subsequent Acts (21 Geo. III., c. 66, 1 and 2 Vict., c. 23, and 28 & 29 Vict., c. 69), extending its provisions, incumbents of benefices, with the consent of the Ordinary and Patron, are empowered to borrow, and the Governors, as well as any other persons, are empowered to lend for any of the following purposes:—

Gilbert's Acts.

- (1) For building, rebuilding, enlarging, altering, repairing or purchasing a parsonage house and offices;
- (2) For purchasing any lands or hereditaments not exceeding 12 acres, contiguous to or desirable to be used or occupied with the parsonage house or glebe belonging to the benefice;
- (3) For building any offices, stables or outbuildings necessary for occupation or protection of such parsonage.
- (4) For restoring, rebuilding or repairing fabric of the chancel of the church of the benefice (in case the incumbent is liable to repair or sustain the fabric of such chancel);
- (5) For building, improving, enlarging or purchasing any farm house or farm buildings or labourer's dwelling houses with the appurtenances belonging to or desirable to be acquired for any farm or lands appertaining to the benefice.

The loan must not exceed three years' nett income of the benefice.

The sum lent is secured by mortgage of the benefice, and is repayable by annual instalments, with interest at the rate of 4 per cent. per annum.

In cases where the Governors lend, the term of the mortgage is, by special power, given to them by 35 & 36 Vict., c. 96, determined by them according to the particular circumstances of each case. It may not exceed repayment by thirty annual instalments.

If

If the loan is originally made for a less number of years the term may, on the appointment of a new incumbent, be extended (if the Governors think fit) up to this limit.

The Governors, by their loans under the last-mentioned Acts and by the application of moneys specially appropriated to benefices, in pursuance of the Act 43 Geo. III, c. 107, before referred to, have been very instrumental in providing for residence of the clergy in their benefices, and at a time when such residence was most loudly called for.

Under the provisions of the Acts 6 & 7 Will. IV., c. 77, and 3 & 4 Vict., c. 113, and 5 & 6 Vict., c. 26, the Governors are empowered to lend money to bishops, deans and canons for building, or otherwise providing, their houses of residence.

Within the last twenty years the Governors, finding that the repayment of loans was pressing heavily on incumbents whose incomes had been reduced owing to agricultural depression, obtained powers under Acts of Parliament 44 & 45 Vict., c. 25, and 49 & 50 Vict., c. 34, and 59 & 60 Vict., c. 13, to extend the terms of the mortgages in such cases. A large measure of relief was accorded under these Acts. Full particulars of the cases dealt with under the Act of 1896 will be found in the Annual Report of the Governors for the year 1897.—Parliamentary Paper C 8,793 of 1898.

The average number of mortgages during the last seven years has been 57. The total amount of principal owing to the Governors on the 31st December 1899, on loans to the clergy under these Acts, was 468,559*l.* 18*s.* 2*d.*

Report of Select
Committee, 1868.

In the year 1868, a Select Committee of the House of Commons was appointed "to inquire into the management and constitution of Queen Anne's Bounty Board." The Committee reported on the 17th July 1868. See Parliamentary Paper No. 439 of that year.

One result of this report was an increased attendance of lay members of the Corporation, and during the last 20 years such attendance has been well maintained. The following have been chairman of the Finance Committee during this period:—the late Duke of Buckingham and Chandos, the late Lord Powis, Lord Clinton and Lord Ashcombe.

Ecclesiastical
Dilapidations Act,
1871.

By the Ecclesiastical Dilapidations Act, 1871 (34 & 35 Vict., c. 43), it devolves upon the Governors to receive and disburse all sums assessed for dilapidations on the vacancy of a benefice.

They are also empowered to advance money to incumbents on the security of their benefices for dilapidation purposes. These loans are chiefly made in cases where the sum assessed for dilapidations on vacancy is irrecoverable by reason of the insolvency of the late incumbent or his estate. The average number of loans during the last seven years has been 18. The total amount of principal owing to the Governors on 31st December, 1899, was 11,850*l.* 19*s.*

To meet cases where, owing to the smallness of the yearly income, the Governors did not deem it expedient to lend, they were empowered, under the Royal Sign Manual of 20th February, 1896, with respect to benefices not exceeding the nett yearly value of 200*l.*, to make grants to meet benefactions of equal or greater amount. Up to the 31st December, 1899, grants amounting to 3,735*l.* 1*s.* 9*d.* were made to 57 benefices to meet benefactions amounting to 3,735*l.* 18*s.*

During the seven years to the 31st December, 1899, the sum of 423,491*l.* 17*s.* 8*d.* was received, and the sum of 432,301*l.* 14*s.* 10*d.* disbursed on dilapidation account. The total number of receipts was 4,137 and payments 5,495.

Sums assessed for the dilapidations on the request of an incumbent in possession of a benefice do not pass through the Governors' hands, except when a loan is granted, but the certificate of completion of the works is forwarded to the Governors, and registered in their books.

The Governors have, under this Act, dealt with almost every benefice in England and Wales.

Tithe redemptions.

The redemptions of tithe rent-charge have become much more frequent of late years, and the sum received by the Governors in respect of such redemptions has reached a considerable figure.

Powers of invest-
ment.

Increased powers of investment have from time to time been conferred on the Governors under the Royal Sign Manual. They have by this means been able to continue to the clergy, for whose benefices capital funds are held, a rate of 3 per cent. in lieu of the 2½ per cent., declining to 2½ per cent., which would have been the rate if investment in Government Funds only had been allowed. (See Annual Report for 1890. Parliamentary Paper, 1891, No. 6,469.)

The duties of the Governors have from time to time been much increased, extended powers have been conferred on them, and they have, under several Acts of Parliament, been named as the recipients of money, and the funds received by them, in consequence, amount in the aggregate to a very considerable sum.

The following is a list of Acts of Parliament conferring powers on the Governors, with amounts received for particular benefices since the return made to the Select Committee in 1868 under such of them as authorize payment of money to the Governors:—

Date of Act.	Powers conferred on Queen Anne's Bounty.	Amount received by them during the Period 1868 to 1889, inclusive.	
		Cash. £. s. d.	Stock. £. s. d.
2 & 3 Anne, c. 11, 1703	Authorises incorporation of Queen Anne's Bounty, with power to accept gifts of land or money for poor livings and to purchase land. Authorises grant of First Fruits and Tenths to Queen Anne's Bounty.	214,839 6 9	68,093 3 2
1 Geo. I., c. 10, 1714	Requires Bishops to make valuation of benefices, and certify to Queen Anne's Bounty. Authorises Queen Anne's Bounty to consent to transfer of patronage to benefactor in consideration of his benefaction. Also to annex lands to benefices. All augmented benefices made perpetual benefices.		
17 Geo. III., c. 53, 1776 21 Geo. III., c. 66, 1780	Authorises loans by Queen Anne's Bounty to incumbents for building, repairing, or purchasing parsonages.		
42 Geo. III., c. 116, 1801	Authorises Queen Anne's Bounty, in certain cases, to redeem land-tax and rent-charge.		
43 Geo. III., c. 107, 1803	Authorises Queen Anne's Bounty to concur in exchanges of glebe of augmented benefices, and to apply appropriated moneys in their hands in building, rebuilding, or purchasing parsonage houses.		
45 Geo. III., c. 84, 1805	Authorises valuation of benefices by Bishops for purpose of augmentation, and authorises gifts of personalty to Queen Anne's Bounty without deed.		
56 Geo. III., c. 141, 1816	Enables incumbents to sell glebe for enlarging cemetery or churchyard, purchase-moneys, if between 20% and 100%, to be paid to Queen Anne's Bounty. (See 8 & 9 Vict. c. 70 below.)		
6 & 7 Will. IV., c. 77, 1836	Enables Bishops in certain cases to borrow from Queen Anne's Bounty.		
1 & 2 Vict., c. 20, 1838	Constitutes the Treasurer of Queen Anne's Bounty the sole collector of First Fruits and Tenths. Authorises short form of conveyance.		
1 & 2 Vict., c. 23, 1838	Enables incumbents, with certain consents, to sell house of residence. Purchase-money paid to Queen Anne's Bounty, whose duty it is to provide new house of residence. Powers of incumbents to borrow from Queen Anne's Bounty enlarged.	552,398 16 3	
1 & 2 Vict., c. 106, 1838	Penalties incurred by spiritual persons to be paid to Queen Anne's Bounty.	375 11 5	
Sec. 25	Proceeds of sale of parsonages in certain cases to be paid to Queen Anne's Bounty.	(included above.)	
Sec. 62	Enables Bishop to mortgage property of benefice to Queen Anne's Bounty, in order to provide house of residence.		
2 & 3 Vict. c. 49, 1839, s. 12	Endowments held in trust for benefices may be transferred to Queen Anne's Bounty, or new trusts accepted by them.	170,352 -4 3	385,867 14 6
Secs. 15 & 16	Enables incumbents, with certain consents, to sell land originally acquired by or through Queen Anne's Bounty. Purchase-moneys paid to Queen Anne's Bounty.	678,225 19 4	8,885 0 0
Sec. 17	Extends power of sale given by 1 & 2 Vict. c. 23, to houses and buildings other than houses of residence. Purchase-moneys payable to Queen Anne's Bounty.	28,899 10 2	

Date of Act.	Powers conferred on Queen Anne's Bounty.	Amount received by them during the Period 1868 to 1899, inclusive.			
		Cash.		Stock.	
		£.	s.	d.	£. s. d.
3 & 4 Vict., c. 20, 1840 .	Extends the provisions of 1 Geo. I., c. 10, and 2 & 3 Vict. c. 49.				
4 & 5 Vict., c. 38, 1841 .	When glebe sold for school site, and purchase-money exceeds 20 <i>l</i> ., Bishop may direct it to be paid to Queen Anne's Bounty.	4,846	2	4	136 9 1
3 & 4 Vict., c. 113, 1840 .	Authorises deans or canons of cathedral churches to borrow from Queen Anne's Bounty.				
5 & 6 Vict., c. 26, s. 13 .	Renders consent of Ecclesiastical Commissioners for England necessary to loans from Queen Anne's Bounty by incumbents of benefices augmented by Ecclesiastical Commissioners for England.				
5 & 6 Vict., c. 65. Local and personal.	Endowment of churches in Forest of Dean by Her Majesty's Commissioners of Works.				
6 & 7 Vict., c. 37, 1843 .	Enabled Ecclesiastical Commissioners to borrow 600,000 <i>l</i> . Consols, and further advances from Queen Anne's Bounty.				
8 & 9 Vict., c. 70, 1845 .	When glebe sold for site of a church, churchyard, or for a parsonage for another benefice, purchase-money, if above 20 <i>l</i> ., to be paid to Queen Anne's Bounty. The amount includes that paid under 56 Geo. III., c. 141, <i>supra</i> .	5,373	6	8	
9 & 10 Vict., c. 73, 1846 .	Proceeds of redemption of tithe rent-charge owned by spiritual persons to be paid to Queen Anne's Bounty.	613,831	14	2	
23 & 24 Vict., c. 93, 1860 .	Ditto Extraordinary ditto . . .	12,692	0	0	
49 & 50 Vict., c. 54, 1886 .					
16 & 17 Vict., c. 137 .	Exempts Queen Anne's Bounty from Charitable Trusts Acts.				
21 & 22 Vict., c. 94, 1858 .	Money arising from enfranchisements in respect of manors belonging to benefices to be paid to Queen Anne's Bounty.	13,809	2	7	
57 & 58 Vict., c. 46, 1894 .					
28 & 29 Vict. c. 69, 1865 .	Enables Queen Anne's Bounty to sell lands given to them for their general purposes. Authorises incapacitated persons and corporations to convey houses or land to Queen Anne's Bounty, either gratuitously or for value, for parsonages or sites for parsonages. Extends powers of incumbent of borrowing under Gilbert Acts.				
33 & 34 Vict., c. 89, 1870 .	Superannuation of Officers of Queen Anne's Bounty. Annual Returns to Parliament.				
34 & 35 Vict., c. 43, 1871 .	Ecclesiastical Dilapidations. All moneys payable for dilapidations, or arising from insurance of ecclesiastical buildings, to be paid to Queen Anne's Bounty, and disbursed by them. Incumbents enabled to borrow from Queen Anne's Bounty for dilapidations.	1,862,028	8	3	
35 & 36 Vict., c. 94, 1872 .	Ecclesiastical Dilapidations Amendment. Enables Governors to vary terms of loans under Gilbert's and Dilapidations Acts, and to change day of payment.				
37 & 38 Vict. c. 68, 1874 .	Enables Queen Anne's Bounty to appoint a solicitor without a certificate.				
37 & 38 Vict., c. 77, s. 7, 1874 .	Penalties payable by unauthorised priests and deacons to Queen Anne's Bounty.				

Date of Act.	Powers conferred on Queen Anne's Bounty.	Amount received by them during the Period 1868 to 1899, inclusive.			
		Cash.			Stock.
		£.	s.	d.	£. s. d.
46 & 47 Vict., c. 61, s. 39	Incumbent of benefice, who is landlord, not to exercise power under Agricultural Holdings Act, 1883, without consent of patron or Queen Anne's Bounty.				
49 & 50, c. 34, s. 12	Power of Queen Anne's Bounty to modify mortgage where income of benefice diminished by operations of Extraordinary Tithe Redemption Act. There are also several Private Acts of Parliament by which the Governors are made recipients of money for various purposes.				

AS TO THE MANAGEMENT.

The Governors hold a General Court once a month, except in September and October, for the transaction of the ordinary business of the Corporation, such as the consideration of gifts and benefactions of land for sites for parsonage houses, or otherwise, applications by incumbents for the sale of lands which had in times past been purchased for their benefices by the Governors, for the laying out of appropriated money or stock in the purchase of lands, tithes, or rent-charges, or in acquiring houses of residence, considering questions arising under the numerous acts administered by the Governors, and the transaction of the general business of the Corporation.

The Governors yearly appoint three Committees: (1) A Finance and Audit Committee; (2) A Standing and General Purposes Committee; (3) A Mortgage Arrear Committee.

(1) The Finance and Audit Committee meet once a month, except in September and October, and consider the financial business of the Governors—such as the audited accounts for the preceding month—the Banking Report—the Auditors' recommendation as to credits for the ensuing month—all questions of investment, which are frequently first reported on by a Special Sub-Committee—questions of management of Governors' ground rent estates, and of trust estates held by them for special benefices—questions of the establishment;

Their report is made to and considered by the next General Court, usually held on the same day;

(2) The Standing and General Purposes Committee meet once a month, except in September and October, and consider all applications from incumbents for loans, and for expenditure of trust capital belonging to benefices, in building or improving residence houses, and for grants towards dilapidations. Their report is made to the next General Court, usually held on the same day;

Special Meetings of the above Committees are held in connection with the yearly distribution of the Governors' surplus income, and additional meetings are held when necessary;

(3) The Mortgage Arrear Committee meet at least twice each year for the consideration of every case in which the repayment of a loan made to a benefice is in arrear;

Special Committees and Sub-Committees are frequently appointed for the consideration of particular questions.

Applications for augmentations out of the surplus revenues come before the Governors in March in each year. A Special Meeting of the Finance and Audit Committee having considered the Audited Annual Accounts, report what sum is available for grants. All applications are then, in the first place, considered by a Special Meeting of the Standing and General Purposes Committee, who report the cases most deserving of augmentation to the next General Court for confirmation. If the benefaction offered consists of money, the amount is directed to be paid to the Treasurer, and, on its receipt, the amount, together with the Governors' grant, is carried to the credit of the benefice. If the benefaction consists of houses, lands or tithes, the same are secured to the benefice by the Solicitor to the Governors without expense to the incumbent, and when the necessary deeds have been executed, the Governors' grant is in like manner carried to the credit of the benefice.

The Governors hold the freehold of a suitable house and offices in Dean's Yard. Their Secretary and Treasurer has resided in the house. The establishment consists of the Secretary and Treasurer, and twenty-seven officers, clerks, &c. There are also some

supernumeraries at weekly wages. The total salaries and weekly wages in 1899 were 8,255*l.* 7*s.* 1*d.* The total charges of management, including the salaries and 1,076 *s.* for superannuation pensions under 33 & 34 Vict., c. 89, were, less fees received, 9,979*l.* 8*s.* 5*d.* The cash receipts in 1899 were 674,250*l.* 0*s.* 1*d.*, and the cash payments were 645,802*l.* 3*s.* 1*d.* The charges of management were 15*s.* 1*d.* per cent. on the total receipts and payments. (See last annual return to Parliament, Sess. Paper 1900, No. Cd. 80.)

The Governors also have the assistance of a Standing Counsel and a Professional Auditor; and, for the purpose of examining the proposed plans of the local architects actually employed, they have the services of an Architect and Surveyor, who is a salaried official, giving all his time to the Governors.

The Governors formerly employed a solicitor outside the office, who was paid by fees. In the year 1894 they appointed, under the powers of the Solicitors Act, a conveyancing barrister to act as their Solicitor, as a salaried officer within the office. This step has resulted in a large saving of expense, both to the Governors in corporate matters, and to incumbents, and to the funds held for their benefices. This department carries through all purchase and sales of freehold ground rents, loans on mortgage of freehold lands, &c., and loans to the clergy; all cases of sales of lands annexed to benefices by the Governors, purchases of land, tithe rentcharges, houses of residence, &c., for benefices, all benefactions which do not consist of money or stock alone, the correspondence of the office bearing on legal questions, and any litigation in which the Governors are parties.

In cases where costs are received they are placed to the credit of the Governors. In cases where costs would have to be paid by the Governors, or by benefices or incumbents, only out-of-pocket expenses are charged in lieu of profit costs. The annual savings of the Governors is approximately 900*l.* to 1,000*l.*, and to the benefices 400*l.* to 500*l.*

All applications for loans under the Gilbert and subsequent Acts, which used to be made in the first instance to the outside solicitor, have since been made direct to the office. A paper of questions to be answered and a letter of instructions are sent out. From the answers to the questions there is prepared a statement of particulars of the application for loans received to be laid before the Governors. When the plans and specifications have been approved by the Governors' Architect and Surveyor, the Governors consider each case, together with a report from the Architect thereon, and the loans which the Governors are willing to advance are referred to the Solicitor's Department. The amount of the loan is remitted to the nominee appointed to receive it, who gives a bond with a surety for its due application. All mortgages are carried out free of expense to the borrower, with the exception of small fees to diocesan officials.

The collection and recovery of all the mortgage arrears, and the recovery of arrears of First Fruits and Tenths, are also carried out within the office, instead of being referred to an outside solicitor as formerly.

The collection of all the ground rents belonging to the Governors, with the exception of those on one estate in the West of England, is carried out in the office, thus saving commission to outside agents.

The whole business relating to the management of the funds held for benefices, now 6,175,800*l.*, and comprising 8,451 open accounts, is transacted free of cost to the beneficiaries.

The Governors have not exercised the power given to them by Section 65 of the Ecclesiastical Dilapidations Act, 1871, to retain for office expenses a percentage of the sums passing through their hands under that Act.

APPENDIX B.

QUEEN ANNE'S BOUNTY.

COPIES of the two Charters which were granted by Her late Majesty Queen Anne to the Governors of Queen Anne's Bounty; and of the several Rules and Orders under Royal Sign Manual now in force relative to Queen Anne's Bounty. Bounty Office, 16th July 1900.

The First Charter, 3 November, 3 Anne.

ANNE, by the grace of God, of England, Scotland, France and Ireland, Queen, Defender of the Faith, &c., to all to whom these presents shall come, greeting. As the welfare and support of the Church of England, as by law established, have been always our greatest care, so we have, since our accession to the Crown, frequently reflected on the miserable condition of a very great number of the clergy of this our kingdom by reason of the mean and insufficient provision for their maintenance in several places, which tends very much to the ruin of this Church; and in regard that the arrears of Tenths due to our Exchequer upon small rectories and vicarages could not be answered without great difficulties and hardships to the poor incumbents, and that several of those churches, for fear of incurring the full payment of such arrears, were held in sequestration by temporary curates, without being regularly filled with institution and induction, we were resolved to do as much as in us lay towards easing of the clergy, and were graciously inclined to think, that the ministers who served those cures might, in respect of their poverty, be true objects of our Royal compassion, and that it would tend to the honour and good discipline of the Established Church, if those benefices were filled with able clerks, legally instituted and inducted; and to the charitable purpose aforesaid, we signed a warrant to authorise our Lord High Treasurer to discharge the arrears of Tenths due upon the small rectories and vicarages not exceeding thirty pounds per annum, by the most improved valuations of the same, on condition that the respective churches were first filled with institution and induction; and our Lord High Treasurer signified our said bountiful intention by letters directed to our archbishops and bishops accordingly; and in order to settle a fund for increasing the maintenances of the poor clergy, we commanded our right trusty and well-beloved counsellor, Sir Charles Hedges, Knight, one of our Principal Secretaries of State, to deliver a message in writing, signed by us, to our most dutiful and loyal Commons of England, in Parliament assembled, declaring, that we have taken into our serious consideration the mean and insufficient maintenance belonging to the poor clergy in divers parts of this kingdom, to give them some ease, had been pleased to remit the arrears of the Tenths to the poor clergy; and that, for augmentation of their maintenance, we would make a grant of our whole revenue arising out of First Fruits and Tenths, as far as it then was or should become free from incumbrances to be applied to this purpose; and if the House of Commons could find any proper method by which our good intentions to the poor clergy might be made more effectual, it would be a great advantage to the public and very acceptable to us. And whereas by an Act of Parliament made in the second year of our reign, intituled "An Act for the making more effectual Her Majesty's gracious Intentions for the Augmentation of the Maintenance of the Poor Clergy, by enabling Her Majesty to grant in perpetuity the Revenues of the First Fruits and Tenths; and also for enabling any other Persons to make Grants for the same Purpose," reciting, that whereas, at a Parliament holden in the twenty-sixth year of the reign of King Henry the Eighth, the first fruits, revenues, and profits, for one year, upon every nomination or appointment to any dignity, benefice, office or promotion spiritual, within this realm or elsewhere within the said King's dominions, and also a perpetual yearly rent or pension amounting to the value of the tenth part of all the revenues and profits belonging to any dignity, benefice or promotion spiritual whatsoever, within any diocese of this realm or in Wales, were granted to the said King Henry the Eighth, his heirs and successors, and divers other statutes have since been made touching the First Fruits and annual Tenths of the clergy, and the ordering thereof; and whereas a sufficient settled provision for the clergy in many parts of this realm hath never yet been made, by reason whereof divers mean and stipendiary preachers are in many places entertained to serve the cures and officiate there, who, depending for their necessary maintenance upon the good will and liking of their hearers, have been and are thereby under temptation of too much complying and suiting their doctrines and teachings to the humours rather than the good of their hearers, which hath been great occasion of faction and schism, and contempt of the ministry, and further

mentioning, that forasmuch as we, taking into our princely and serious consideration the mean and insufficient maintenance belonging to the clergy in divers parts of this our kingdom, have been most graciously pleased, out of our most religious and tender concern for the Church of England (whereof ourself is the only supreme head on earth), and for the poor clergy thereof, not only to remit the arrears of our Tenth due from our poor clergy, but also to declare unto our most dutiful and loyal Commons, our Royal pleasure and pious desire that the whole revenue arising from the First Fruits and Tenths of the clergy might be settled for a perpetual augmentation of the maintenance of the said poor clergy in places where the same is not already sufficiently provided for; (to the end that our most gracious intentions may be made effectual, and that the Church may receive so great and lasting an advantage from our parting with so great a branch of our revenue towards the better provision for the clergy not sufficiently provided for, and to the intent our singular zeal for the support of the clergy, and the honour, interest and future security of the Church as by law established, may be perpetuated to all ages), it is enacted that it shall and may be lawful for us, by our letters patent under the Great Seal of England, to incorporate such persons as we shall therein nominate or appoint to be one body politic and corporate, and to have a common seal and perpetual succession; and also at our will and pleasure, by the same or any other letters patent, to grant, limit, or settle to or upon the said corporation and their successors for ever, all the revenue of First Fruits and yearly perpetual Tenths of all dignities, offices, benefices and promotions spiritual whatsoever, to be applied and disposed of to and for the augmentation of the maintenance of such parsons, vicars, curates and ministers officiating in any church or chapel within the Kingdom of England, dominion of Wales, and town of Berwick-on-Tweed, where the liturgy and rites of the Church of England as now by law established are or shall be used and observed, with such lawful powers, authorities, directions, limitations, and appointments, and under such rules and restrictions, and in such manner and form, as shall be therein expressed. The statute made in the first year of our reign, intituled "An Act for the better Support of Her Majesty's Household, and of the Honour and Dignity of the Crown," or any other law to the contrary in anywise notwithstanding; provided always, and it is hereby declared, that all and every the statutes and provisions touching or concerning the ordering, levying, and true answering and payment or qualification of the said First Fruits and Tenths, or touching the charge, discharge, or alteration of them, or any of them, or any matter, or thing relating thereunto, which were in force at the time of making the said Act, shall be, remain and continue in their full force and effect, and be observed and put in due execution, according to the tenors and purports of the same and every of them, for such intents and purposes nevertheless as shall be contained or directed in or by the said letters patents; provided also, that the said Act, or anything therein contained, should not extend to avoid or in any way impeach or affect any grant, exchange, alienation or incumbrance at any time heretofore made of or upon the said revenues of First Fruits and Tenths, or any part thereof; but that the same shall during the continuance of such grant, exchange, alienation, or incumbrance respectively, be and remain of and in such force and virtue, and no other, to all intents and purposes, as if the said Act had not been made. And for the encouragement of such well-disposed persons as shall by our Royal example be moved to contribute to so pious and charitable a purpose, and that such their charity may be rightly applied, it is enacted, that all and every person and persons having in his or their own right, any estate or interest in possession, reversion, or contingency of or in any lands, tenements or hereditaments, or any property of or in any goods or chattels, shall have full power, license and authority, at his, her, and their will and pleasure, by deed enrolled in such manner, and within such time, as is directed by the statute made in the twenty-seventh year of the reign of King Henry the Eighth, for enrolment of bargains and sales, or by his, her, or their last will or testament in writing duly executed according to law, to give and grant to and vest in the said corporation and their successors all such his, her, or their estate, interest or property in such lands, tenements and hereditaments, goods and chattels, or any part or parts thereof, for and towards the augmentation of the maintenance of such ministers as aforesaid, officiating in such church or chapel where the liturgy and rites of the said Church are or shall be so used or observed as aforesaid, and having no settled competent provision belonging to the same, and to be for that purpose applied according to the will of the said benefactor in and by such deed enrolled, or by such will or testament executed as aforesaid, expressed, and in default of such direction, limitation or appointment, in such manner as by our letters patents shall be directed or appointed as aforesaid. And such corporation and their successors shall have full capacity and ability to purchase, receive, take, hold and enjoy for the purposes aforesaid, as well from such persons as shall be so charitably disposed to give the same, as from all other persons as shall be willing to sell or alien to the said corporation any manors, lands, tenements, goods or chattels, without any licence or writ of *ad quod damnum*; the Statute of Mortmain or any other statute or law to the contrary notwithstanding; provided always, that the said Act, or anything therein contained, should not extend to enable any person or persons being within age, or of non-sane memory, or women covert without their husbands, to make any such gift, grant or alienation, anything in the said Act contained to the contrary notwithstanding, as in and by the said Act of Parliament may more at large appear.

Now know ye, that we, to the end our said gracious intentions may be made effectual and that the Church may receive a great and lasting advantage from our parting with our
said

said revenue of First Fruits and Tenths towards the better provision for the clergy not sufficiently provided for, and pursuant to the said Act of Parliament, of our especial grace, certain knowledge and mere motion, have made, appointed, nominated, constituted and established and by these presents, for us, our heirs and successors, do make, appoint, nominate, constitute and establish our most dear consort, Prince George of Denmark, our High Admiral and Generalissimo of all our Forces; the most Reverend Father in God, our right trusty and right entirely beloved counsellor, Thomas Lord Archbishop of Canterbury, and the Archbishop of Canterbury for the time being; our right trusty and well-beloved counsellor, Sir Nathan Wright, knight, Keeper of our Great Seal of England; the most Reverend Father in God, our right trusty and well-beloved John Archbishop of York, and the Archbishop of York for the time being, our right trusty and well-beloved counsellor Sydney Lord Godolphin, our High Treasurer of England; our right trusty and right well-beloved cousin and counsellor, Thomas Earl of Pembroke and Montgomery, our President of our Council; our right trusty and right entirely beloved cousin and counsellor, John Duke of Normanby and Buckingham, our Keeper of our Privy Seal; our right trusty and right entirely beloved cousins and counsellors, William Duke of Devonshire, our Steward of our Household; Charles Duke of Somerset, our Master of our Horse; James Duke of Ormond, our Lieutenant General and General Governor of our Kingdom of Ireland; Charles Duke of Bolton; Mainhardt Duke of Schomberg; Thomas Duke of Leeds; John Duke of Marlborough, our Captain General of all and singular our Forces, and Master General of our Ordnance; our right trusty and right well-beloved cousins and counsellors, Robert Earl of Lindsey, our Great Chamberlain of England; Charles Earl of Carlisle, Earl Marshal of England during the minority of the Duke of Norfolk; Henry Earl of Kent, our Chamberlain of our Household; Charles Earl of Dorset and Middlesex; George Earl of Northampton; Charles Earl of Manchester; Thomas Earl of Stamford; Thomas Earl of Thanet; Charles Bodville, Earl of Radnor; Charles Earl of Berkeley; Daniel Earl of Nottingham; Laurence Earl of Rochester; Montagu Earl of Abingdon, our Constable of the Tower of London; Ralph Earl of Montagu; Richard Earl of Scarborough; Francis Earl of Bradford, Treasurer of our Household; Edward Earl of Jersey; Richard Earl of Ranelagh, in our Kingdom of Ireland; our right trusty and well-beloved cousin and counsellor, Thomas Lord Viscount Weymouth; the Right Reverend Father in God our right trusty and well-beloved counsellor, Henry Bishop of London, and the Bishop of London for the time being; our right trusty and well-beloved counsellors, Robert Lord Ferrers, Thomas Lord Wharton, John Lord Pawley, Robert Lord Lexington, William Lord Dartmouth, John Lord Grenville, Heneage Lord Guernsey, John Lord Gower, Thomas Lord Coningsby of the Kingdom of Ireland; Robert Harley, esquire, Speaker of the House of Commons, and one of our principal Secretaries of State, and the Speaker of the House of Commons for the time being; Peregrine Bertie, esquire, our Vice-Chamberlain of our Household; Henry Boyle, esquire, Chancellor and Under Treasurer of our Exchequer; Thomas Mansell, esquire, Comptroller of our Household; Sir Charles Hedges, knight, one of our principal Secretaries of State; Sir John Holt, knight, Chief Justice of our Court of Queen's Bench; Sir John Trevor, knight, Master of the Rolls, and the Master of the Rolls for the time being; Sir Thomas Trevor, knight, Chief Justice of our Court of Common Pleas; Sir George Rooke, knight, Vice-Admiral of England; Sir Edward Seymour, baronet; James Vernon, esquire; John Smith, esquire; and John How, esquire; and all and every the Privy Counsellors of us, our heirs and successors, for the time being; all and every, lieutenants of, in, and for the several counties within our kingdom of England and dominion of Wales, now and for the time being; all and every the custodes rotulorum for the several counties within our kingdom of England; the Reverend Fathers in God, Nathaniel Bishop of Durham, Peter Bishop of Winchester, William Bishop of Llandaff, William Bishop of Worcester, Thomas Bishop of Rochester, Jonathan Bishop of Exeter, Gilbert Bishop of Sarum, Humphrey Bishop of Hereford, Nicholas Bishop of Chester, Simon Bishop of Ely, John Bishop of Litchfield and Coventry, John Bishop of Norwich, Richard Bishop of Peterborough, Edward Bishop of Gloucester, John Bishop of Bristol, James Bishop of Lincoln, John Bishop of Chichester, William Bishop of Oxon, John Bishop of Bangor, William Bishop of Carlisle, George Bishop of Bath and Wells, William Bishop of St. Asaph, and all and every the bishops of the several dioceses aforesaid for the time being, and the Bishop of St. David's, for the time being; the deans of the several cathedral churches within our kingdom of England and dominion of Wales, now and for the time being; our trusty and well-beloved Sir Littleton Powis, Sir Henry Gold, and Sir John Powell, knights, Justices of our Court of Queen's Bench, and the Chief Justice and other the Justices of the Court of Queen's Bench for the time being; our trusty and well-beloved Sir Edward Nevill, Sir John Blencoe, knights, and Robert Tracy, esquire, Justices of our Court of Common Pleas, and the Chief Justice and other the Justices of the Court of Common Pleas for the time being; our trusty and well-beloved Sir Edward Ward, knight, Chief Baron of our Court of Exchequer; Sir Thomas Bury, knight, Robert Price, esquire, and John Smith, esquire, other the Barons of our Court of Exchequer, and the Chief Baron and other the Barons of the Court of Exchequer for the time being; our trusty and well-beloved Sir Thomas Powis, knight, Sir Salathiel Lovell, knight, our serjeants at law; Sir Edward Northey, knight, our Attorney General; Sir Simon Harcourt, knight, our Solicitor General; and the serjeants at law attorney general and solicitor general, of us,

us, our heirs and successors, for the time being; Sir John Cook, knight, doctor of laws, our Advocate General, and the advocate general to us, our heirs and successors for the time being; the Chancellors and Vice-Chancellors of the two Universities of Oxon and Cambridge, now and for the time being; our trusty and well-beloved Sir John Parsons, knight, mayor of our city of London, and the mayor of the city of London for the time being; all and every the aldermen of the city of London, now and for the time being; the mayor of the city of York for the time being; and all and every the mayors of the respective cities within our kingdom of England, now and for the time being, to be one body politic and corporate of themselves, in deed and in name, by the name of "The Governors of the Bounty of Queen Anne for the Augmentation of the Maintenance of the Poor Clergy"; and them one body politic and corporate in deed and in name, by the name of "The Governors of the Bounty of Queen Anne for the Augmentation of the Maintenance of the Poor Clergy"; we do, for us, our heirs and successors, make, create, erect, establish and confirm for ever by these presents; and by the same name they and their successors shall have perpetual succession, and shall and may have and use a common seal for the business and affairs of the said body politic and corporate, and of their successors, with power to break, alter and make new their seal from time to time at their pleasure, or as they shall see cause; and by the same name they and their successors shall be able and capable in law to purchase, receive, take, hold and enjoy, for the purposes herein mentioned, as well from such person or persons who shall be so charitably disposed to give (as from all other persons who shall be willing to sell, alien or assign) to the said corporation hereby constituted, any manors, lands, tenements, hereditaments, goods, chattels or possessions whatsoever, of what nature or quality soever; and further, by the same name of the "Governors of the Bounty of Queen Anne for the Augmentation of the Maintenance of the Poor Clergy," they and their successors shall and may sue and implead, and be sued and impleaded, answer and defend and be answered and defended, in courts of record or any other place whatsoever, and before whatsoever judges, justices, officers, and ministers of us, our heirs and successors and in all and singular pleas, actions, suits, causes and demands whatsoever, of what nature or kind soever in as ample and beneficial manner and form as any other body politic and corporate, or any other the liege people of England, being persons able and capable in law, may or can have, take, receive, hold, keep, possess, enjoy, sue, implead, defend or answer, or be sued, impleaded, defended or answered, in any manner of wise; and shall and may do and execute all and singular other matters and things, by the name aforesaid, that to them shall or may appertain to do by virtue of the said Act or of these presents, or otherwise; and for the ends and purposes before expressed, and pursuant to and by virtue of the said Act of Parliament, we have given and granted, and, by these presents, for us, our heirs and successors, do give and grant unto the said "Governors of the Bounty of Queen Anne for the Augmentation of the Maintenance of the Poor Clergy," hereby constituted, and their successors, all the revenues of First Fruits and yearly perpetual Tenths of all dignities, offices, benefices, and promotions spiritual whatsoever, payable to us, our heirs and successors, by virtue of the said Act of Parliament, made in the six and twentieth year of the reign of King Henry the Eighth, or by virtue of an Act of Parliament made in the first year of the reign of the late Queen Elizabeth, for restitution of First Fruits and Tenths to the Crown, or by virtue of any other Act or Acts of Parliament whatsoever; and all arrears of the said First Fruits and Tenths now due and undischarged (other than the arrears of the Tenths due upon the small rectories and vicarages under the yearly value of 30*l.* per annum, by us as aforesaid directed to be discharged) to be applied and disposed of by the said governors hereby constituted, to and for the augmentation of the maintenance of such persons, vicars, curates, ministers officiating in any church or chapel within the kingdom of England, dominion of Wales, and town of Berwick-upon-Tweed where the liturgy and rites of the Church of England, as now by law established, are or shall be used and observed, under such rules, restrictions, and directions, and in such manner and form, as shall be established pursuant to these presents, and for the better ordering, managing, and directing the affairs of the said corporation, we do hereby, for us, our heirs and successors, grant unto the said "Governors of the Bounty of Queen Anne for the Augmentation of the Maintenance of the Poor Clergy," and their successors, and we do hereby ordain, will, and appoint that as soon as conveniently may be after the date of these presents, all and every the persons hereinbefore named and constituted governors as aforesaid, do assemble and meet together in the room commonly called the Prince's Chamber, adjoining to the House of Lords, or some other convenient place within our cities of London or Westminster, or the suburbs thereof, as shall in that behalf be appointed by any seven or more of the governors hereby constituted (whereof we will that any one of the Privy Council, of us, our heirs or successors, and any one of the bishops aforesaid, or any one of the judges of any of the Courts of Westminster, or of the said counsel learned in the law, of us, our heirs or successors, shall be three), to treat and consult concerning the business and affairs of the said corporation, and the good rule and government thereof, and the faithful distribution of our Royal bounty aforesaid; and we do further, by these presents, for us, our heirs, and successors, will, authorise, require, and command the said governors and their successors, from time to time to summon, appoint, hold, and keep four general courts at least in every year, at any convenient place or places aforesaid (notice being in that behalf first given, by inserting the same in the Gazette, or otherwise, fourteen days before the holding of every such general court), one of the said four general courts to

be held and kept in the month of December, another in the month of March, another in the month of June, and another in the month of September; and we do also and will, by these presents, for us, our heirs and successors, do grant and ordain, that all the said governors for the time being, or so many of them as shall at any time or times be assembled and met together as aforesaid, being not less than seven in number at one meeting or assembly in such general court (of whom any one of the Privy Council, of us, our heirs or successors, and any one of the bishops aforesaid, and any one of the judges aforesaid, for the time being, or of the said counsel learned in the law, of us, our heirs or successors, we will, shall, be always three), shall be and called a general court of the said corporation; and that in such general courts the said governors and their successors, shall and may do and dispatch by majority of votes, any business relating to the government and affairs of the said corporation, and also hear, debate, and determine any complaint or matter that shall be brought or exhibited in the said court touching the affairs of the said corporation; and shall and may call to their aid and assistance such persons as the said general court, or the major part of them, assembled as aforesaid, shall think fit, to aid, assist, and advise the said governors hereby constituted, and their successors, in the due and effectual execution of the powers and authorities hereby granted; and for the better ordering and managing the affairs of the said corporation, we do hereby for us, our heirs and successors grant, authorise, and appoint that the governors of the said Corporation hereby constituted and for the time being, or any seven or more of them (of whom three or more to be such as aforesaid) shall, and may from time to time, as often as they shall think fit, erect, nominate, and appoint such and so many of the governors of the said corporation for the time being as they shall judge expedient to be committees of the said corporation, for the better dispatching and more easy managing and carrying on the purposes aforesaid, and the true intent and meaning of these presents; and to invest such committees with such power as the governors of the said corporation assembled in a general court, or the major part of them so assembled, shall think fit to entrust them with, pursuant to the powers hereby given to the governors hereinbefore named and constituted; and for the better effecting our will and pleasure in these presents declared, we do hereby, for us, our heirs, and successors, authorise and command the "Governors of the Bounty of Queen Anne for the Augmentation of the Maintenance of the Poor Clergy," at the first or some other or some other subsequent meeting or meetings of the said governors hereby constituted, or so many of them as shall then meet and be present (of whom any one of the Privy Council aforesaid for the time being, and any one of the bishops aforesaid for the time being, and any one of the judges aforesaid for the time being, or of the said counsel learned in the law of us, our heirs or successors, for the time being, we will shall be three at the least), to consider of, consult, advise, agree upon, draw up, prepare and propose in writing to us, our heirs or successors, such proper and necessary rules, methods, directions, orders, and constitutions as the said governors, or any seven or more of them as aforesaid, for the time being, shall in their discretions judge most convenient to be observed for and towards the better rule and government of the said corporation and the members thereof, and the receiving, accounting for, and managing all and every the revenues hereby granted, or mentioned to be granted, as aforesaid, and all arrears thereof, and also for and concerning the distributing, paying, and disposing of the same, and all other gifts and benevolences that shall or may be given or bequeathed to the said corporation for the charitable ends aforesaid for the augmentation of the maintenance of the poor clergy aforesaid; and such rules, methods, orders, directions, and constitutions, as shall be so proposed and shall be approved, altered, or amended by us, our heirs or successors, and such as shall be made by us, our heirs and successors, and so signified and declared by us, our heirs or successors under our or their Great Seal, we will shall be the rules, methods, directions, orders, and constitutions by which the "Governors of the Bounty of Queen Anne for the Augmentation of the Maintenance of the Poor Clergy" and their successors, shall receive, manage, govern, apply, and dispose our said Royal Bounty (and other gifts and benevolences which shall or may hereafter be given or bequeathed to the said corporation where the donors thereof shall not particularly direct the application thereof) to and for the increase of the maintenance of such parsons, vicars, curates, and ministers officiating in any church or chapel within the kingdom of England, dominion of Wales, or town of Berwick-upon-Tweed, where the liturgy and rites of the Church of England, as now by law established, are and shall be used and observed for whom a maintenance is not already sufficiently provided; and for the better enabling the governors of our bounty aforesaid to perform our will and pleasure hereinbefore expressed, we do hereby, for us, our heirs and successors, authorise and require our Keeper of our Great Seal of England now being, or the Lord High Chancellor of England, or Keeper of the Great Seal of England for the time being, upon the request of the said governors hereby constituted, or any seven or more of them (of whom any one of the Privy Council aforesaid for the time being, and any one of the bishops aforesaid for the time being, and any one of the judges, or of the counsel learned in the law as aforesaid for the time being, we will shall be three), to issue out writs of inquiry under the Great Seal of England unto all and every or any of the counties and cities in England and Wales to be directed to such and so many persons as the said Keeper of the Great Seal of England now and for the time being, or the Lord High Chancellor of England for the time being, shall nominate, assign or appoint, thereby authorising and requiring them, or any three or more of them, and giving them full power and authority, by the oaths of good and lawful men, and by all other lawful ways and means, to inquire and

and find out; and likewise the said governors hereby named and constituted, and any seven or more of them, are hereby commanded and authorised to inquire, find out and inform themselves, by all lawful ways and means, of the true yearly value of the maintenance of every parson, vicar, curate, and minister officiating in any church or chapel within such counties and cities where the liturgy and the rites of the Church of England, as now by law established, are or shall be used and observed, for whom a maintenance of the yearly value of 80*l.* is not sufficiently provided; and the distances of such churches and chapels from our city of London, and which of them are in towns corporate, or market towns, and which not, and how the several churches and chapels are supplied by preaching ministers, and where the incumbents have more than one living, that some course may be taken for providing for the augmentation of maintenance, where the same shall be found necessary; and we do further hereby, for us, our heirs and successors authorise and require the said governors now and for the time being, or any seven or more of them (of whom we will that any one of the Privy Council aforesaid for the time being, and any one of the bishops aforesaid for the time being, and any one of the judges aforesaid or of the said counsel learned in the law of us, our heirs or successors, be three), from and after such inquiry had and made as aforesaid, to prepare and lay before us, our heirs or successors, a true statement and account of the yearly values of the maintenance of all such parsons, vicars, curates, and ministers aforesaid, and also of the present yearly values of the said First Fruits and Tenths, and the arrears thereof, hereby granted for the augmentation of the maintenance of the poor Clergy aforesaid; and also of all such pensions payments or other charges as are now granted and payable out of the said First Fruits and Tenths, by letters patents or otherwise, therewith charged, to the end that, the same being satisfied and discharged, our said Royal bounty may be applied and disposed to and amongst such of the poor clergy, the augmentation of whose maintenance will appear to be most necessary; and for the better managing, ordering, and governing the affairs of the said corporation, we do, by these presents for us, our heirs and successors, grant to the said "Governors of the Bounty of Queen Anne for the Augmentation of the Maintenance of the Poor Clergy" and their successors, and do hereby ordain and appoint, that there shall be, from time to time for ever, one able and sufficient person, to be nominated and chosen as is hereinafter expressed, who shall be and be called "Secretary to the Governors of the Bounty of Queen Anne for the Augmentation of the Maintenance of the Poor Clergy," and who shall act and perform all such matters and things for and on the behalf of the said corporation, as shall be found requisite and necessary to be executed and performed by him in such office; and for the better execution of our will and pleasure in that behalf, we have named, constituted, and appointed, and by these presents for us, our heirs and successors, do name, constitute, and appoint our trusty and well-beloved John Chamberlain, esquire, to be the first and present secretary to the "Governors of the Bounty of Queen Anne for the Augmentation of the Maintenance of the Poor Clergy," who shall continue in the said office of secretary, during the pleasure of the "Governors of the Bounty of Queen Anne for the Augmentation of the Maintenance of the Poor Clergy"; and we do further, by these presents, for us, our heirs and successors grant unto the said "Governors of the Bounty of Queen Anne for the Augmentation of the Maintenance of the Poor Clergy" and to their successors, that they and their successors shall and may have one able and sufficient person to be nominated and chosen as is hereinafter mentioned who shall be and be called "Treasurer to the Governors of the Bounty of Queen Anne for the Augmentation of the Maintenance of the Poor Clergy," and also such inferior officers, substitutes, and servants as the said governors for the time being assembled in a general court shall, by a majority of votes, think fit to choose and elect, which inferior officers and substitutes, so elected, we will and ordain, for us, our heirs and successors, shall continue in their several and respective offices during the pleasure of the said governors for the time being; and we have also named, constituted, and appointed, and by these presents, for us, our heirs and successors, do name, constitute, and appoint our trusty and well-beloved Edward Tennyson, senior, gentleman, to be the first and present treasurer to the "Governors of the Bounty of Queen Anne for the Augmentation of the Maintenance of the Poor Clergy," to continue in the said office of treasurer during the pleasure of the "Governors of the Bounty of Queen Anne for the Augmentation of the Maintenance of the Poor Clergy"; and further, we do by these presents, for us, our heirs and successors, grant unto the said "Governors of the Bounty of Queen Anne for the Augmentation of the Maintenance of the Poor Clergy," and their successors, full power and authority from time to time, as often as it shall happen that any secretary and treasurer to the said governors shall die or be removed from his or their respective offices aforesaid, or whose office or offices shall otherwise become void, to elect and choose, by a majority of votes, of such governors as shall be assembled in a general court, some other fit person or persons into the office or offices of him or them who shall so die or be removed as aforesaid, or whose office shall otherwise become void: which person or persons so to be chosen shall continue in his or their office or offices whereunto he or they shall be so elected during the pleasure of the governors; provided always, and we do by these presents, for us, our heirs and successors, ordain and appoint that the said John Chamberlain and Edward Tennyson hereinbefore named and constituted to be the first and present secretary, and treasurer to the governors hereby incorporated, and their successors; and also every other secretary and treasurer hereafter to be elected shall, before they take upon them the execution

execution of their said several offices, respectively take their corporal oaths for the due and faithful execution of their several offices, before any seven or more of the governors aforesaid for the time being, in a general court of the said corporation, who are hereby authorised and required to give and administer the said oaths from time to time accordingly; and the present treasurer, and every future treasurer, shall give sufficient security to the said corporation for his faithful accounting for the monies he or they shall receive by virtue of the said office. And having no doubt that not only the governors hereinbefore named and constituted but also a great number of other our good subjects, will be disposed to follow our example, and will with great cheerfulness and readiness contribute to the further augmentation of the maintenance of the poor clergy we do by these presents, for us, our heirs and successors, authorise and empower the "Governors of the Bounty of Queen Anne for the Augmentation of the Maintenance of the Poor Clergy" to take and receive, from such of our good subjects as shall be piously inclined to contribute to the increase of this our Royal bounty to the poor clergy, all such voluntary gifts or subscriptions of any sum or sums of money, goods or chattels, or of or for any estate or interest in any manors, lands, tenements, rents, hereditaments, or other matters or things whatsoever which any person or persons, bodies politic or corporate, shall be willing to give, limit, appoint or bestow for or towards the further augmentation of the maintenance of the poor clergy; and further, to cause to be collected and received whatsoever shall be given, contributed, bequeathed, designed or appointed for the purposes aforesaid, by the hands of the treasurer to the said corporation hereby constituted, who shall be appointed to receive the same; and to the end our Royal intention in the premises may be better known to our loving subjects, we do hereby require the governors hereinbefore named and constituted, or any seven or more of them, to cause public notice of this our Royal Charter, or the tenor or scope thereof, to be made in such places, or by such ways and means as the said governors, or any seven or more of them, shall think most conducive to the furtherance of the bounty and charity aforesaid; and further, we do hereby for us, our heirs and successors, give full power and authority unto the governors aforesaid, and their successors, from time to time, and at all times hereafter to admit into the said corporation hereby erected and constituted all and every such person and persons who shall be piously disposed to contribute towards the further augmentation of the maintenance of the said poor clergy, and the advancing so good a work as the said governors in a general court of the said corporation shall think fit to admit which person or persons, when so admitted in the said corporation, shall be and be deemed called and reputed, members of the said corporation, and from time to time shall and may vote and act in as ample manner and form, and have and enjoy such and the same powers, privileges and authorities, as other governor or governors of the said corporation hereinbefore named may vote and act, have, enjoy and perform by virtue of these presents; and we do hereby, for us, our heirs and successors, authorise and empower the governors hereby constituted, and their successors or any seven or more of them (of whom any one of the Privy Council aforesaid for the time being, and any one of the bishops aforesaid for the time being, and any one of the judges or of the counsel learned in the law, of us, our heirs or successors, as aforesaid, to be three at least), in case they shall find the same necessary for carrying on and perfecting the pious intentions and designs of this our Royal Charter, by instruments or writings under the seal of the said corporation, to depute and substitute such persons as they shall think fit to entrust to take such subscriptions as aforesaid, and to collect and bring in the monies which shall be contributed, bequeathed, designed or appointed for the ends and purposes aforesaid to the hands of the treasurer to the said governors for the time being, and to displace or discharge such substitutes or deputies, or any of them, and to appoint others in the place of them, or any of them, from time to time as the said governors, or any seven or more of them (of whom three or more to be such as aforesaid), shall see cause; and also to settle, establish, and appoint such cheques, comptrols, and orders as they shall think necessary or safe, for the full and due charging of the treasurer, and also the said deputies, and all and every other person and persons whatsoever who shall receive or be chargeable with any monies, or other profits for the said charitable use or purpose, to answer, pay or account for the same; and we do hereby, for us, our heirs and successors, authorise, require, and command the said "Governors of the Bounty of Queen Anne for the Augmentation of the Maintenance of the Poor Clergy," from time to time to cause to be entered in a book to be kept for that purpose, the name of the persons who shall subscribe or contribute, give, advise, or appoint any monies, or any real or personal estate, or other matters or things towards this charitable and good design, with the sums of money, goods, chattels, estates, or other things by them respectively contributed, given, limited, appointed or devised, to the end a perpetual memorial may be made of such well-disposed persons who shall become benefactors as aforesaid, and whereby the treasurer to the said corporation may be charged with more certainty in his accounts; and our further will and pleasure is, and we do hereby, for us, our heirs and successors, give full power and authority unto the said Edward Tennison, and the treasurer to the said governors for the time being, from time to time, upon the receipt or receipts of any sum or sums of money or other profits for the purposes aforesaid, or any of them, to give an acquittance or acquittances for the same, which shall be good and sufficient discharges to all intents and purposes whatsoever, and the said treasurer, for the time being, in his receipts, payments and accounts, shall be subject to such inspection, examination and control as the said governors for the time being, or any four or more of them

(whereof such as are before appointed for a special quorum to be three at least) shall establish or appoint; and we do hereby, for us, our heirs and successors, grant and declare that these our letters patent, or the enrolment thereof, shall be in and by all things good, valid and effectual in the law, according to the true intent and meaning of the same, and shall be taken, construed and adjudged in the most favourable and beneficial sense, and to the best advantage of and for the said corporation, as well in all our courts of record as elsewhere, notwithstanding the not reciting or not truly or fully reciting of any Act or Acts of Parliament, of or concerning the said First Fruits or Tenths hereby granted or mentioned to be granted, or any part or parcel thereof, and notwithstanding the not mentioning the true yearly value of the said First Fruits or Tenths, or any of them, and notwithstanding any non-recital, mis-recital, defect, incertainty or imperfection in these our letters patent contained, or any other matter, cause, or thing whatsoever.

In witness whereof, we have caused these our letters to be made patent,
Witness ourself, at Westminster, the 3rd day of November, in the third
year of our reign.

By writ of Privy Seal,
Cocks.

The Second Charter, 5 March, 12 Anne.

Anne, by the Grace of God, of Great Britain, France and Ireland, Queen, Defender of the Faith, &c., to all to whom these presents shall come, greeting. Whereas, in and by our letters patents, under our Great Seal of England, bearing date the 3rd day of November, in the third year of our reign, we did incorporate the governors of the "Bounty of Queen Anne for the Augmentation of the Maintenance of the Poor Clergy"; and for the better effecting our will and pleasure in the said letters patents declared, we did thereby for us, our heirs and successors, authorise and command the governors of the said . . . corporation thereby constituted, at their first or some other subsequent meeting or meetings, or so many of them as should then meet and be present (of whom any one of the Privy Council, of us, our heirs or successors, for the time being, and any one of the bishops of England for the time being, and any one of the judges of any of the courts at Westminster for the time being, or one of the two eldest serjeants at law, or the attorney or solicitor general of us, our heirs or successors, for the time being, to be three at least), to consider of, consult, advise, agree upon, draw up, prepare and propose in writing to us, our heirs or successors, such proper and necessary rules, methods, directions, orders and constitutions as the said governors, or any seven or more of them, as aforesaid for the time being, should in their discretions judge most convenient to be observed for and towards the better rule and government of the said corporation and the members thereof, and the receiving, accounting for, and managing all and every the revenues thereby granted, and all arrears thereof, and also for and concerning the distributing, paying and disposing of the same, and all other gifts and benevolences that should or might be given or bequeathed to the said corporation for the charitable ends therein mentioned for the augmentation of the maintenance of the poor clergy in the said letters patents mentioned; and such rules, methods, orders, directions, and constitutions as should be so proposed and should be approved, altered or amended by us, our heirs or successors, and such as should be made by us our heirs and successors, and so signified and declared by us, our heirs or successors, under our or their Great Seal, we would should be the rules, methods, directions, orders, and constitutions, by which the governors of our said corporation and their successors, should receive, manage, govern, apply, and dispose our said Royal Bounty, and other gifts and benevolences which should or might then after be given or bequeathed to the said corporation (where the donors thereof should not particularly direct the application thereof), to and for the increase of the maintenance of such parsons, vicars, curates and ministers, officiating in any church or chapel within the kingdom of England, dominion of Wales, or town of Berwick-upon-Tweed, where the liturgy and rites of the Church of England, as then by law established, were and should be used and observed for whom a maintenance was not sufficiently provided.

And whereas, in and by our said letters patents a secretary and a treasurer to the said corporation were constituted and appointed, to continue in the said offices during the pleasure of the said corporation; and upon a vacancy of either of the said offices, full powers were thereby granted to a general court of the said corporation to elect and choose others in their places, to continue during the pleasure of the said corporation, as by the said letters patents, amongst other things therein contained, relation being thereunto had, may more fully and at large appear.

And whereas the governors of the said corporation have humbly represented unto us the several inconveniences arising from the quorum by the said charter appointed, to the great delay and obstruction of the business thereof, by reason that by the charter of the said corporation no business could be done by the governors unless seven were present, and of them one to be a Privy Councillor, and one a bishop, and one a judge, or one of our two eldest sergeants at law, or our attorney or solicitor general; and it having happened very often that at their meetings no business could be done, there not being three such as were by the said letters patent so diverted to make a quorum.

And

And whereas the governors of the said corporation have likewise humbly proposed to us for our Royal approbation, several rules and constitutions for the better rule and government of the said corporation: Now know ye, that we have fully taken all and singular the premises into our Royal consideration, of our especial grace, certain knowledge, and mere motion, have directed and appointed, and by these presents do direct and appoint, that the present secretary and treasurer of the said corporation shall not continue in their said offices during the pleasure of the said corporation, but shall from henceforth continue and remain therein during our pleasure; and further, that as often as it shall happen that either of the said offices shall become void, the nomination and appointment shall be in us, our heirs and successors, and not in the general court of the said corporation.

And for the better enabling the said corporation to meet and do business, and to prevent the delay and obstruction of the business of the said corporation, we have thought fit to increase the number of the governors of the said corporation; and we do hereby, for us, our heirs, and successors, add to the governors of the said corporation the following persons, viz., the officers of our Board of Green Cloth, our serjeants-at-law and counsel learned in the law, and our four clerks in ordinary of our Privy Council for the time being; and we do hereby, for us, our heirs, and successors, declare and grant that they shall be to all intents and purposes governors of the said corporation together with the other governors named in the charter, as fully as if they had been expressly mentioned in the said letters patents of incorporation. And we do hereby also, for us, our heirs, and successors, direct and appoint that any one of the persons in the said letters patents mentioned to be of the quorum, with six other governors, shall make a quorum for the future, anything in the said former letters patents to the contrary notwithstanding; reserving nevertheless to us, our heirs and successors, the power of restoring at any time the old quorum, or making or directing any other quorum under our or their sign manual.

And for the better rule and government of the said corporation, of our further especial grace, certain knowledge, and mere motion, we, having duly considered of the several rules, orders, and constitutions, humbly proposed to us by the governors of the said corporation, have made, ordained, approved of, ratified, confirmed, and established, and by these presents we do, for us, our heirs, and successors, make, ordain, approve of, ratify, confirm and establish, the several rules, methods, directions, orders, and constitutions hereinafter mentioned, viz. :—

1. That the augmentations to be made by the said corporations shall be by the way of purchase, and not by the way of pension.

2. That the stated sum to be allowed to each cure which shall be augmented, be two hundred pounds, to be invested in a purchase at the expense of the corporation.

3. That the Governors shall begin with augmenting those cures that do not exceed the value of 10*l.* per annum, and shall augment no other till those have all received our bounty of 200*l.*, except in the cases and according to the limitations hereafter named.

4. That in order to encourage benefactions from others, and thereby the sooner to complete the good that was intended by our bounty, the governors may give the said sum of 200*l.* to cures not exceeding 35*l.* per annum, where any persons will give the same or greater sum, or value in lands or tithes.

5. That the governors shall every year, between Christmas and Easter, cause the account of what money they have to distribute that year to be audited; and when they know the sum, public notice shall be given in the "Gazette" or such other way as shall be judged proper, that they have such a sum to distribute in so many shares, and that they will be ready to apply those shares, to such cures as want the same, and are by the rules of the corporation qualified to receive them, where any persons will add the like or greater sum to it, or the value in lands or tithes, for any such particular cure.

6. That if several benefactors offer themselves, the governors shall first comply with those that offer most.

7. Where the sums offered by other benefactors are equal, the governors shall always prefer the poorer livings.

8. Where the cures to be augmented are of equal value, and the benefactions offered by others are equal, there they shall be preferred that first offer.

9. Provided, nevertheless, that the preference shall be so far given to cures not exceeding 10*l.* per annum, that the governors shall not apply above one-third part of the money they have to distribute that year to cures exceeding that value.

10. Where the governors have expected till Michaelmas what benefactors will offer themselves, then no more proposals shall be received for that year, but if any money remain after that to be disposed of, in the first place, two or more of the cures in the gift of the Crown, not exceeding 10*l.* per annum, shall be chosen by lot to be augmented preferably to all others; the precise number of these to be settled by a general court, when an exact list of them shall be brought into the governors.

11. As for what shall remain of the money to be disposed of after that, a list shall be taken of all the cures in the Church of England not exceeding 10*l.* per annum, and so many of them be chosen by lot as there shall remain, sums of 200*l.* for their augmentation.

12. When all the cures not exceeding 10*l.* per annum shall be so augmented, the governors shall then proceed to augment those of greater value, according to such rules as shall at any time hereafter be proposed by them and approved by us, our heirs or successors under our or their great seal.

13. That all charitable gifts in real or personal estates made to the corporation shall be strictly applied according to the particular direction of the donor or donors thereof, where the donors shall give particular directions for the disposition thereof; and where the gifts shall be generally to the corporation, without any such particular direction, the same shall be applied as the rest of the fund or stock of the corporation is to be applied.

14. That a book shall be kept, wherein shall be entered all the subscriptions, contributions, gifts, devices, or appointments made or given, of any monies or of any real or personal estate whatsoever, to the charity mentioned in the charter, and the names of the donors thereof, with the particulars of the matters so given; the same book to be kept by the secretary of the corporation.

15. That a memorial of the benefactions and augmentations made to each cure shall, at the charge of the corporation, be set up in writing on a stone, to be fixed in the church of the cure so to be increased, there to remain in perpetual memory thereof.

16. When the treasurer shall have received any sum of money for the use of the corporation, he shall, at the next general court to be holden after such receipt, lay an account thereof before the governors who may order and direct the same to be placed, out for the improvement thereof, upon some public fund or other security, till they have an opportunity of laying it out in proper purchases for the augmentation of cures.

17. That the treasurer do account annually before such a committee of the governors as shall be appointed by a general court of the said corporation, who shall audit and state the same; and the said account shall be entered in a book to be kept for that purpose, and shall be laid before the next general court after such, stating the same to be there re-examined and determined.

18. The persons whose cures shall be augmented shall pay no manner of fee or gratification to any of the officers or servants of this corporation.

19. That the salary of the secretary of the said corporation be 120*l.* per annum, in full for his service, and for a clerk, and for stationery wares, to commence from Christmas 1712, to be paid him half-yearly by the treasurer of the said corporation.

20. That the salary of the treasurer of the said corporation be 120*l.* per annum, in full for his service, and for a clerk, and for all his expenses whatsoever (except the fees which he shall pay or allow in the Treasury or Exchequer) to be allowed, half-yearly, as aforesaid.

All and singular which said rules, methods, directions, orders, and constitutions, we will and do, by these presents, for us, our heirs and successors, signify and declare shall be the rules, methods, directions, orders, and constitutions by which the governors of the said corporation, and their successors, shall receive, manage, govern, apply and dispose our said royal bounty, and other gifts and benevolences in the said letters patents mentioned, according to the true intent and meaning of the said charter and of these presents.

Reserving, nevertheless, to us, our heirs and successors, full and absolute power and authority from time to time, and at all times hereafter, under our or their great seal, to make any alterations in the several and respective orders aforesaid, and to give and make, in like manner, such other orders, rules, and directions for and concerning the better government of the said corporation, and for the managing, governing, applying and disposing of our royal bounty to them granted, and for the augmentation of the maintenance of the poor clergy, according to the true intention of the said letters patents of incorporation, as to us, our heirs and successors, shall seem meet.

Lastly we do hereby, for us, our heirs and successors, grant that these our letters patents, or the enrolment thereof, shall be in and by all things good, firm valid, sufficient and effectual in the law, notwithstanding the not reciting, or not truly or fully reciting the said letters patents of incorporation, or the date thereof, or any other omission, imperfection, defect, matter, cause or thing whatsoever to the contrary thereof in anywise notwithstanding.

In witness whereof we have caused these our letters to be made patents.
Witness ourself, at Westminster, the Fifth day of March, in the Twelfth year of our reign.

By Writ of Privy Seal,
Cocks.

Rules and Orders.

Royal Sign Manual—5th George IV.—(22nd March 1824).

George the Fourth, by the grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, &c., to all to whom these presents shall come, greeting. Whereas the Governors of the Bounty of Queen Anne for the Augmentation of the Maintenance of the Poor Clergy have humbly represented unto us that our Royal predecessor Queen Anne did, by her Letters Patent, bearing date the 5th day of March, in the year of our Lord 1713-14, grant a new charter to the Corporation of the Governors of the Bounty of Queen Anne for the Augmentation of the Maintenance of the Poor Clergy, which charter contained such rules and constitutions for the better government of the said corporation, and such alterations and additions as our said Royal predecessor Queen Anne had thought fit to approve by her Order in Council of the 31st day of January, in the said year of our Lord 1713-14; that by the third rule given and established by the said charter it was directed that the said Governors should begin with augmenting those cures that did not exceed the value of 10*l.* per annum, and should augment no other till those had all received her said Majesty's bounty of 200*l.*, except in the cases and according to the limitations thereafter mentioned; and by the 12th rule it was provided that when all the said cures should be augmented the said Governors might proceed to augment those of greater value, according to such rules as should thereafter be proposed by them and be approved by her said Majesty, her heirs and successors, under her or their Great Seal; that by an Act of Parliament passed in the first year of the reign of His Majesty King George the First it was enacted that all such rules and orders as should from time to time be agreed upon, prepared and proposed by the said Governors to His said Majesty, his heirs and successors, and by him or them approved under his or their sign manual, should be as good, valid, and effectual rules and orders as if the same were made or established under the Great Seal; that in the 20th year of the reign of His Majesty King George the Second, the said third rule was by His said Majesty's royal sign manual altered, and the governors were empowered to augment cures that did not exceed 20*l.* per annum, under the like rules, orders, and directions as were then in force and ought to be observed in relation to cures not exceeding 10*l.* per annum; and in the 20th year of the reign of our late royal father, King George the Third, the said third rule was by His said Majesty's royal sign manual again altered, and the said governors were empowered to augment cures that did not exceed 30*l.* per annum, under the like rules, orders, and directions as were then in force and ought to be observed in relation to cures not exceeding 20*l.* per annum; that in the 50th year of the reign of His said late Majesty King George the Third the said third rule was by His said Majesty's royal sign manual again altered, and the said governors were thereby directed, as soon as all the cures not exceeding 30*l.* per annum which were fitly qualified should have been augmented, to proceed to augment by lot those cures that did not exceed 50*l.* per annum, and that they should not augment by lot any of greater value than 50*l.* till those should have all received the said bounty, except in cases therein mentioned; that the said governors have accordingly augmented the cures which were fitly qualified, and which did not exceed 30*l.* per annum, and have proceeded to augment by lot part of those cures which did not exceed 50*l.* per annum; that the governors have at this time sufficient funds, arising from the royal bounty, to augment immediately to the annual value of 50*l.* all cures which do not amount to that value; and in order that they, the said governors, may be enabled and empowered so to augment the same, and also that they may afterwards proceed to augment by lot those of greater value than 50*l.* per annum, they have agreed upon and prepared the following rule, and do hereby propose that the same may be approved and established by us under our royal sign manual and be added to their other rules, viz., "That the said governors shall proceed to augment, without lot, to the annual value of 50*l.*, all those cures which are fitly qualified and do not exceed that value; and that so soon as all the said cures shall have been so augmented, they shall proceed to augment by lot those cures which are fitly qualified and do not exceed 60*l.* per annum;" and the said governors have humbly requested that the said proposed rule may be added to the rules heretofore given and established by our Royal predecessors; We have thought fit to approve of the said rule, and do by these presents approve and establish the same accordingly; and do hereby direct that the said rule be added to the other rules formerly given and established by our late Royal predecessors.

Given at our Court at Carlton House, the 22nd day of March 1824, in the fifth year of our reign,

By his Majesty's Command.

Robert Peel.

Royal Sign Manual—10th George 4th (13th July 1829).

George the Fourth, by the Grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, &c., to all to whom these presents shall come, greeting. Whereas the Governors of the Bounty of Queen Anne for the Augmentation of the Maintenance of the Poor Clergy, have humbly represented unto us, that, in pursuance of messages from the Crown to both Houses of Parliament, at several times within the last 20 years, 11 sums of 100,000*l.* each have been granted to the governors in aid of the fund vested

vested in them by our Royal predecessor Queen Anne, for the augmentation of the maintenance of the poor Clergy to be applied to the increase of the maintenance of the poor Clergy according to the rules and regulations by which the funds of that corporation were governed.

That the said several sums of 100,000*l* were, as and when the same were received by the said governors, invested in the purchase of a 3*l*. per Centum Bank Annuities, in the name of the corporation and on account of the fund so constituted, called the Parliamentary Grants Fund, and of all receipts and payments in respect thereof, has been kept by them separate and apart from the original fund constituted by the bounty of her said Majesty Queen Anne.

That the said governors have from time to time, out of the said Parliamentary Grants Fund, appropriated sums of money for the augmentation of certain small livings, which were found by them to be fitly qualified to be so augmented; and in many cases benefactions by corporations and individuals have been given jointly with augmentations by the said governors and appropriated for the improvement of such livings.

That by letters patent, bearing date the 5th day of March, in the 12th year of her said late Majesty Queen Anne certain rules were established for carrying on the trusts reposed in the said governors; the first and second of which rules are as follows:—

1. "That the augmentations to be made by the said corporation shall be by the way of purchase, and not by the way of pension."

2. "That the stated sum to be allowed to each case which shall be augmented be 200*l*. to be invested in a purchase at the expense of the corporation."

That by an Act of Parliament, 43 Geo. 3, c. 107, the governors are enabled to apply money appropriated by them to the augmentation of any living, or any part thereof, in or towards the building, rebuilding, or purchasing a house, and any other proper erections within the parish, convenient and suitable for the residence of the minister thereof.

That in many cases the whole or part of the sums which have been appropriated by the governors out of the said Parliamentary Grants Fund to livings have been, by virtue of the two rules before mentioned, laid out in the purchases of houses, lands, tithes, and hereditaments, which have been conveyed to the incumbents of such livings respectively and their successors at the expense of the corporation, who thereupon (whether the resident or non resident on such livings) entered into and received, and continued to receive, the rents and profits thereof; and in many other cases the governors have, by virtue of the said Act of Parliament, 43 Geo. 3, applied the whole or part of the sums appropriated to livings in or towards the building, rebuilding or purchasing houses and other proper erections for the residence of the respective ministers of such livings.

That interest is at present allowed by the governors to the respective incumbents of livings augmented out of the Parliamentary Grants Fund on the amount of the sum appropriated to each living, and which has not been laid out and applied in a purchase nor for building purposes, at the rate of 4*l*. per centum per annum, except as to certain livings, augmented out of a small part of the said Parliamentary Grants Fund, to the respective incumbents, whereof interest at the rate of 2*l*. per centum per annum is allowed, subject to the rule next hereinafter set forth.

That on the 11th day of May 1827 we were pleased, under our royal sign manual, to repeal, determine, and make void one of two rules under the royal sign manual of his late Majesty King George the Third, bearing date the 12th day of September 1809, and to approve of the rule hereinafter set forth to be substituted for the same; that is to say, That no interest on augmentations to livings out of the Parliamentary Grants Fund by lot or benefaction, or given by benefactors to obtain augmentations out of that fund, be paid to the incumbents thereof in any year, unless such incumbents do bonâ fide reside thereon, or perform the duties thereof, for the period required by law in the year for which such interest shall be demanded. But nevertheless, that in cases where the non-residence or non-performance of duty by any such incumbency shall be proved, to the satisfaction of the said governors, to have been solely occasioned by the actual illness or infirmity of mind or body of such incumbents, or by some other unavoidable cause or pressing emergency of a temporary nature, to be allowed by the bishop of the diocese by writing under his hand, it shall be lawful for the governors at their discretion to allow the interest to incumbents so circumstanced; and also, that it shall be lawful for the governors, at their discretion, to allow interest on such augmentations and benefactions as aforesaid to clergymen who shall perform the duties of livings so augmented during the vacancy thereof; and also that it shall be lawful for the said governors, at their discretion, to allow such interest, or a sufficient part thereof, to the curates of livings so augmented during the absence of the incumbents thereof, in cases where it shall be certified to the governors by the bishop of the diocese that the stipends to such curates cannot be paid by the incumbents out of their own private resources, and that the profits of such livings without such interest or a part thereof being so allowed, are insufficient to pay such stipends; and that the interest on such augmentations and benefactions to livings augmented as aforesaid, which shall not be payable to the incumbents entitled to the same by their residence or performance of the duty of their livings respectively, or which shall not be allowed by the governors to the incumbents or curates of such livings in any of the special cases before mentioned, shall be added to the principal appropriated to such livings respectively for the further augmentation thereof."

That on taking an account of the Parliamentary Grants Fund by the said governors on the 18th day of March 1829 it appeared that the amount of the sums remaining appropriated

priated to livings out of that fund, including interest on some parts thereof which had not been claimed by the incumbents of certain livings, was 1,080,622*l.* 11*s.* 5*d.* sterling, and that the capital of the governors answerable for that sum, when called for to be invested in purchases and in building or purchasing residence houses, consisted of 905,090*l.* 6*s.* 5*d.* Three per Cent. Consolidated Bank Annuities, 434,989*l.* 11*s.* 5*d.* Reduced Three per Cent. Bank Annuities and in the treasurer's hands, 2,553*l.* 18*s.* 1*d.* cash.

That in consequence of the difficulty in making advantageous purchases of lands or tithes with the monies appropriated out of the said fund to the augmentation of small livings and the inconvenience and responsibility to which the governors are subjected in consequence of the sums so appropriated by them being in money, and therefore a fixed and certain value and their capital being in Bank Annuities, and therefore of fluctuating and uncertain value, and as it does not appear to the governors that the immediate investment of appropriated monies in the purchase of lands or tithes is a matter of paramount importance, the governors are desirous that the obligation on them to make such purchases may be removed, so far as that they may neither be bound to make nor restricted from making such purchases, and that they may be enabled to make a specific application in respect of each living to which there is any money remaining appropriated of so much Three per Cent. Bank Annuities out of their capital as shall be equivalent to the sum of money remaining appropriated to each such living and in substitution thereof; and the governors are also desirous, that in future when an augmentation shall be granted to any living out of the said fund, or the governors shall receive moneys for the improvement of livings, and which shall belong to the Parliamentary Grants Fund account, the value thereof respectively in Three per Cent. Bank Annuities shall be ascertained, and that so much of such Bank annuities out of their capital may be placed to the credit of such living as shall be so ascertained to be the value, and that the dividends to arise from the Bank annuities which from time to time shall remain to the credit of livings may be paid to the respective incumbents of such livings; and the governors are also desirous that in future the whole, or any part of the consideration money to be paid for lands or tithes which shall be purchased by them for any living should be raised, by sale of the whole, or a competent part, as may be required, of the Three per Cent. Bank Annuities which shall at the time of the purchase remain to the credit of the living in respect whereof any such purchase shall be made, and that the whole or any part of the moneys at any time required for building, rebuilding, or purchasing a house and other proper erections within the parish, convenient for the residence of the incumbent of a living, to the credit of which a sum of Bank annuities shall remain, should be raised in the same manner.

That in order to accomplish the several objects, before mentioned, the governors consider it will be necessary that the rule under our sign manual, dated the 11th day of May 1827, and which rule is hereinbefore set forth, may be made void; and that the first and second rules contained in the said letters patent, dated the 5th day of March 12 Queen Anne, and which rules are hereinbefore set forth, and all other rules which by the said letters patent, or by any instrument under the Royal sign manual of a date subsequent to the said letters patent, have been granted to the said governors, may be altered, varied, and modified according, and to be subject, to the several rules hereinafter set forth, which the said governors have agreed upon and prepared in case we shall be pleased to approve, confirm, and establish, such rules under our sign manual, viz.:

1. That henceforth it shall not be obligatory on the governors to purchase houses, lands, or tithes with the sum of money appropriated to any living out of the Parliamentary Grants Fund, or with the Bank Annuities, to be substituted for such sum of money, or any part thereof, but that the governors shall confine themselves to the purchases of houses, lands, or the tithes arising from lands, respectively situate in or so near to the parish in which the living may be, for which the same shall be proposed to be purchased, as shall be convenient for the occupation of the incumbent thereof, and to the purchase of houses, lands, or tithes arising from lands respectively situate at a greater distance in such cases where the governors shall be satisfied that an extraordinary advantage may be obtained for the respective incumbents of the livings for which the same respectively shall be proposed to be made, and their successors.

2. That the governors shall immediately place to the credit of each living to which there is a sum of money remaining appropriated on the Parliamentary Grants Fund account so much Three per Cent. Bank Annuities out of their capital, as at the lowest price thereof on the day of the date of our Royal Sign Manual, or of the next opening day afterwards if the books relating to any such Bank annuities shall be shut on the day of the date of such sign manual shall be equivalent to such sum of money, in substitution thereof.

3. That henceforth, when augmentations shall be granted by the governors to livings out of the said fund, or the said governors shall receive moneys for the improvement of livings, and which shall properly belong to the Parliamentary Grants Fund account, the value thereof upon the appropriation of the same respectively, at the then price of Three per Cent. Bank Annuities, shall be ascertained, and so much of such Bank annuities out of their capital shall be placed to the credit of such livings, as shall be so ascertained to be the value thereof.

4. That

4. That the dividends to arise from the Bank annuities which shall from time to time remain to the credit of livings shall be considered as part and parcel of the yearly profits of the said livings, and shall be paid by half-yearly payments to the respective incumbents thereof, or to the sequestrators of such livings, if under sequestration.

5. That the whole or any part of the consideration money to be paid by the governors for the purchase of houses, lands, or tithes, for any living to the credit of which any sum of Bank annuities shall remain, shall be raised by a sale of the whole or a competent part of such Bank annuities, as the case may require.

6. That the whole or any part of the moneys which shall at any time be allowed by the governors to be applied for building, rebuilding, or purchasing a house and other proper erections within the parish convenient for the residence of the incumbent of a living, to the credit of which a sum of Bank annuities shall remain, shall be raised in the same manner as the consideration money for a purchase.

7. That in every case where interest money is now due on any sum appropriated by the governors out of the Parliamentary Grants to the augmentation of a living, and it is not known whether the present incumbent or the representatives of a deceased incumbent be entitled to the same in consequence of residence or performance of duty, or whether it ought to be appropriated to the further augmentation of the living, under the rules and regulations hitherto in force in that respect, the said interest money shall remain to the credit of such living in case; and if no person shall establish a claim to it before the 1st day of March 1831, an equivalent in Three per Cent. Bank Annuities, at the price of that day, for the whole or such part of it as shall not have been paid to any person who may have proved his right thereto, shall be placed to the credit of such living.

The said governors do therefore humbly pray Us, that the rule under Our Royal sign manual, dated the 11th day of May 1827, and which rule is hereinbefore set forth may be made void, and that the first and second rules contained in the said letters patent, dated the 5th day of March, 12 Queen Anne, and which rules are also hereinbefore set forth, and all other rules which by the said letters patent, or by any instruments in writing under the Royal sign manual, of a date subsequent to the said letters patent have been granted to the said governors, may be deemed and taken to be subject to several rules now proposed, and that the said several rules hereby proposed by the said governors may be approved, confirmed and established by us, and added to the rules formerly given and established by Her Majesty Queen Anne, by her Royal letters patent, if we in our Royal wisdom shall so think fit. We have thought fit to approve of the rule under our Royal sign manual, dated the 11th day of May 1827, and which rule is hereinbefore set forth, being repealed and declared void, and do by these presents repeal, determine, and make void the same accordingly; and to declare, and do by these presents declare that the first and second rules contained in the said letters patent, dated the 5th day of March 12 Queen Anne, and all other rules which, by the said letters patent or by any instruments under the Royal sign manual, of a date subsequent to the said letters patent, have been granted to the said governors, shall in future be deemed and taken to be subject to the seven rules in the said representation set forth, and also to approve, confirm, and establish each and every of the said seven rules in the said representation contained, and marked with the numbers from one to seven successively; and do by these presents approve, confirm, and establish the same accordingly, and do hereby direct that the same be added to the rules formerly given and established by our said late Royal predecessor Queen Anne, by her Royal letters patent.

Given at our Court at Windsor the 13th day of July 1829, in the 10th year of our reign.

By His Majesty's Command,
Robert Peel.

Royal Sign Manual—1st William 4th—(20 March 1831).

William the Fourth, by the grace of God of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, &c., to all to whom these presents shall come greeting. Whereas the Governors of the Bounty of Queen Anne for the augmentation of the maintenance of the poor clergy have humbly represented unto us, that by letters patent, bearing date the third day of November, in the third year of the reign of her late Majesty Queen Anne, the governors of her Royal bounty were incorporated, and her Majesty did grant unto the said governors that there should be from time to time for ever one able and sufficient person to be nominated and chosen who should be and be called their secretary and that they should and might have one able and sufficient person to be nominated and chosen who should be and be called their treasurer, the said secretary and treasurer to continue in their respective offices during the pleasure of the said governors, with power to the said governors, in case of a vacancy in either of the said

said offices from time to time to elect and choose some other fit person into such offices respectively; and power was thereby given unto the treasurer of the said governors for the time being, from time to time, upon the receipt or receipts of any sum or sums of money or other profits, for the purposes aforesaid or any of them, to give an acquittance or acquittances for the same, which should be good and sufficient discharges to all intents and purposes whatsoever; and the said treasurer for the time being, in his receipts, payments, and accounts, should be subject to such inspection, examination and control as the said governors, for the time being, or any four or more of them, should establish or appoint; and her said late Majesty did thereby authorise the said governors to prepare and propose to Her Majesty proper and necessary rules, methods, directions, orders and constitutions, for the better government of the corporation; and such rules, methods, orders, directions and constitutions as should be so proposed and should be approved, altered or amended by Her Majesty, her heirs or successors, under the Great Seal, should be those by which the said governors should receive, manage, govern and apply the Royal Bounty. That her said late Majesty Queen Anne, by letters patent, bearing date the 5th day of March, in the 12th year of her reign, after reciting amongst other things that the governors had proposed to Her Majesty, for her Royal approbation, several rules and constitutions for the better rule and government of the said corporation, did direct and appoint that the then secretary and treasurer should not continue in their offices during the pleasure of the said corporation, but should thereupon continue and remain therein during her Majesty's pleasure; and that as often as it should happen that either of the said offices should become void, the nomination and appointment should be in her said Majesty, her heirs and successors, and not in the general court of the said corporation; that by an Act of Parliament made and passed in the first year of the reign of his late Majesty King George the First, entitled "An Act for making more effectual her late Majesty's gracious intention for augmenting the maintenance of the poor clergy" it is amongst other things enacted that all such rules, methods, directions and constitutions as should from time to time be by the said governors agreed upon, prepared and proposed to his Majesty, his heirs and successors, according to the true intent and meaning of the said letters patent of incorporation, and by his Majesty, his heirs and successors, approved under his or their sign manual, should be as good, valid and effectual rules, methods, directions, orders and constitutions, for the purposes aforesaid, as if the same were made and established under the Great Seal of his Majesty, his heirs or successors; that the office of treasurer to the said governors is now vacant by the death of John Peterson, Esq.; that the office of secretary is at this time held by Christopher Hodgson, Esq.; that much inconvenience has occurred in consequence of the offices of secretary and treasurer to the said governors being separate; and the governors therefore consider that the affairs of the said corporation will be managed in a more satisfactory manner, as well as with less expense to the corporation, and also with less trouble to the poor clergy, if the said offices were united; and the said governors also consider it to be expedient, by reason of the very large amount of their annual receipts and payments, that they should be at liberty, for greater security, to employ a banker or bankers to receive and pay such sums of money on their account as the said governors may from time to time order and direct; also to employ a proper person to assist the governors in auditing their accounts. The said governors have therefore agreed upon and prepared, in case we shall be pleased to approve, confirm and establish the following rules under the Royal sign manual.

1. That the offices of secretary and treasurer severally constituted by the letters patent hereinbefore referred to shall henceforth be united; and that the united office shall be held, and the duties thereof performed, by the present secretary, the said Christopher Hodgson, during our Royal pleasure, he giving sufficient security to the said governors for his faithful accounting for the monies he shall receive on their account, and taking his corporal oath for the due and faithful execution of the duties of the said united office; and that the annual stipend of 1,000*l.* shall be allowed to the said Christopher Hodgson in respect of the said united office, in lieu of the annual salary of 650*l.* granted to the secretary of the Royal sign manual, dated the 12th day of June 1824 and of the annual salary of 500*l.* granted to the treasurer by the Royal sign manual, dated the 25th day of June 1827, and that the duties of the said joint office may be ordered and regulated in such manner as the governors shall from time to time direct and appoint.

2. That the governors may be at liberty to employ a banker or bankers to receive and pay such sums of money on their account as the said governors may order from time to time, and also to employ a proper person or persons to assist the governors in auditing their accounts.

And the said governors humbly pray that the said rules hereby proposed by them may be approved, confirmed and established by us, if We in our Royal wisdom shall so think fit.

We, having taken the premises into our Royal consideration, have thought fit to approve of the said rules proposed by the said governors, and do by these presents approve and establish the same accordingly, and do hereby direct that the same be added to the other rules formerly given and established by our said late Royal predecessor Queen Anne, by her letters patent granted as above mentioned to the governors of the said bounty for the augmentation of the maintenance of the poor clergy.

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Given

Given at our Court at St. James' the 20th day of March 1831 in the first year of our reign.

By His Majesty's Command,
Melbourne.

Royal Sign Manual, 6th William 4th (3rd March 1836).

William the Fourth, by the grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith &c., to all to whom these presents shall come greeting. Whereas the governors of the bounty of Queen Anne for the augmentation of the maintenance of the poor clergy have humbly represented unto us that our Royal predecessor Queen Anne, by her letters patent, bearing date the 15th day of March 1713-14, granted a new charter to the corporation of the governors of the Bounty of Queen Anne for the augmentation of the maintenance of the poor clergy, containing such rules and constitutions for the better government of the said corporation, and such alterations and additions as our said Royal predecessor Queen Anne had thought fit to approve by her Order in Council therein mentioned.

That by an Act of Parliament passed in the first year of the reign of his Majesty King George the First c. 10. it was enacted, that all such rules and orders as should from time to time be agreed upon, prepared and proposed by the said governors to his Majesty, his heirs and successors, and by him or them approved under his or their sign manual, should be as good valid and effectual rules and orders as if the same were made or established under the Great Seal.

That our predecessors have at several times, by instruments under the Royal sign manual, exercised the power given to them by the said Act of Parliament of approving and establishing rules and orders proposed by the governors; and the original rules and constitutions have been thereby altered and varied, and certain new rules and orders have been established.

That the said governors are at present, under and by virtue of the said original rules and constitutions (altered and varied as before mentioned), and such new rules and orders as aforesaid, authorised and empowered to augment livings and cures, fitly qualified, and not exceeding the yearly value of 200*l.* fixed and certain, with the sum of 200*l.* out of the Royal Bounty Fund, where any person or persons shall, in order to obtain the same, give a benefaction of 200*l.* or a greater sum in money, or the value thereof in lands or tithes, or a clear yearly rent-charge or annuity of 15*l.* but the said governors are directed to augment, without lot, to the annual value of 50*l.* all those livings and cures which are fitly qualified and do not exceed that value, and so soon as the same shall have been so augmented, to augment by lot those which do not exceed 60*l.* per annum; and the said governors are restricted from appropriating in any year more than one-third of the monies that may be at their disposal to the augmentation of livings and cures exceeding the yearly value of 60*l.*

That it has been found by the governors in practice, that the more advantageous mode of disposing of the greater part of the Royal Bounty Fund is in meeting benefactions, and they are therefore desirous to obtain authority to appropriate the whole or any part of the disposable monies of that fund which may be in their hands in each year in that manner, if they shall think fit, but nevertheless without being restricted from augmenting at their pleasure, with part of the said monies such livings and cures, without lot, as do not exceed 50*l.* per annum and by lot those which do not exceed 60*l.* per annum, according to the rules and constitutions now in force.

That in order to obtain such authority from Us, the said governors have agreed upon and prepared the following rule, and do hereby propose that the same may be approved and established by Us under our Royal sign manual, and be added to their other rules, viz. :—

“That the said governors may appropriate, if they shall think fit, the whole or any part of the monies of which they may have the disposal in each year, in respect of the Royal Bounty Fund, in grants of 200*l.* to livings and cures not exceeding the improved yearly value of 200*l.* fixed and certain, where any person or persons in order to obtain the bounty, will give a benefaction of 200*l.* or a greater sum in money, or the value thereof in lands and tithes, or a clear yearly rent-charge or annuity of 15*l.*; but nevertheless that the said governors shall not be restricted from the exercise of the power which they now have of augmenting, without lot, any such livings and cures being fitly qualified as do not exceed 50*l.* per annum, and by lot any such livings and cures as do not exceed 60*l.* per annum, if the said governors shall in any case think fit so to augment the said livings and cures respectively.”

And the said governors do humbly request that the said proposed rule may be added to the rules heretofore given and established by Our Royal predecessors.

We

We have thought fit to approve of the said rule, and do by these presents approve and establish the same accordingly, and do hereby direct that the said rule be added to the other rules formerly given and established by our late Royal predecessor Queen Anne, by her letters patent granted as above mentioned to the Governors of the said bounty, for the augmentation of the maintenance of the poor clergy.

Given at our Court at St. James's the 3rd day of March, 1836, in the sixth year of our reign.

By His Majesty's command,

J. Russell.

Royal Sign Manual, 1st Victoria—(23rd February, 1838).

Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith, &c., to all to whom these presents shall come, greeting. Whereas the Governors of the Bounty of Queen Anne for the Augmentation of the Maintenance of the poor Clergy have humbly represented unto Us, firstly, that by the second rule in the second charter granted to the Governors by her late Majesty Queen Anne, by letters patent, bearing date the 5th day of March, in the year of our Lord 1713-14, it is prescribed that the stated sum to be allowed to each cure which shall be augmented, be 200*l.*, to be invested in a purchase "at the expense of the corporation, and by the 18th rule in the said charter it is prescribed that the persons whose cures shall be augmented shall pay no manner of fee or gratification to any of the officers or servants of the corporation. That in pursuance of the said two rules the costs and expenses of purchases have been hitherto paid by the Governors out of the monies in their hands from time to time remaining unappropriated.

That it is thought expedient by the Governors that the costs and expenses of purchases to be made in future by them shall at their discretion be paid wholly or in part out of the augmentation money or Bank annuities appropriated to the cure for which any purchase shall be made; or wholly or in part out of the Bounty Fund which may from time to time be unappropriated by the Governors; and also that they may be at liberty to require that the whole or any part of the said costs and expenses shall be paid by the incumbent of such cure out of his own private resources. Secondly, that with respect to augmentations to meet benefactions, it is considered doubtful whether, under the existing rules granted by her said late Majesty Queen Anne, and her successors, (either by letters patent or by the Royal sign manual) the Governors have power in any one year to grant to the same cure more than one augmentation or sum of 200*l.*, although several benefactions, each consisting of 200*l.* or a greater sum in money, or of lands or tithes of the value of or a greater value than 200*l.*, or of a clear yearly rent charge or stipend of or exceeding the sum of 15*l.* be offered by any person or persons with a view of obtaining more than one augmentation or sum of 200*l.* to meet the same; and the Governors deem it expedient, that for the removal of such doubt, further powers should be given to them by us.

That in order to accomplish the two several objects before mentioned, the Governors consider it necessary that the before mentioned second and eighteenth rules in the second charter, as to the expenses of purchases, and also several rules now in force concerning augmentations to meet benefactions should respectively be altered, enlarged and amended; and the said Governors have therefore agreed upon and prepared the two following rules, which they humbly propose to Us:

1st. "That the costs and expenses of purchases to be made in future by the said Governors shall, at their discretion, be paid wholly or in part, out of the augmentation money or Bank annuities now or hereafter to be appropriated to the cure for which any purchase shall be made; or wholly or in part out of the Bounty Fund which may from time to time be unappropriated by the Governors; and also that they may be at liberty to require that the whole or any part of the said costs and expenses shall be paid by the incumbent of such cures out of his own private resources."

2nd. "That henceforward it shall be lawful for the Governors at their discretion, and if they shall think it expedient, but not otherwise, to give in any one year to the same cure one or more than one sum but not exceeding three sums of 200*l.* each out of the Royal Bounty Fund, or the Parliamentary Fund if such cure be fitly qualified and do not exceed the improved yearly value of 200*l.*, in every or any case where any person or persons, in order to obtain the same, will in respect of each sum of 200*l.*, as aforesaid, give to the said cure a benefaction of 200*l.* or a greater sum in money, or of lands or tithes of the value of, or a greater value than 200*l.*, or of a rent charge or stipend of or exceeding the sum of 15*l.* per annum; and whether each such benefaction shall consist partly of money, partly of land or tithes, and partly of a yearly rent charge or stipend, or of any two of the said several kinds of benefaction, but so, nevertheless, that each such mixed benefaction be not in the whole less in value or amount than the sum of 200*l.*; and that for the purpose of ascertaining and fixing the total value of each such mixed benefaction, it shall be

considered and computed that an annual rent charge or stipend of 15*l.* is equal to a sum of 200*l.* in money, and to land and tithes, or any or either of them, of the value altogether or separately as the case may be, of 200*l.*, and so in proportion for any less sum than 15*l.* of annual rent charge or stipend."

And the said Governors do humbly pray that the said two several rules hereby proposed by them may be approved, confirmed, and established by us, if we in our Royal wisdom shall so think fit.

We have thought fit to approve of the two said several rules, and do by these presents approve and establish the same accordingly, and do hereby direct that the said two several rules be added to the other rules, formerly given and established by our late Royal predecessor Queen Anne, by her letters patent, granted as above mentioned to the Governors of the said bounty for the Augmentation of the Maintenance of the poor Clergy.

Given at our Court at St. James's, the 23rd day of February, 1838, in the first year of our reign.

By Her Majesty's Command,

J. Russell.

Royal Sign Manual, 2nd Victoria (8th March, 1839).

Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, etc., to all to whom these presents shall come, greeting. Whereas the Governors of the Bounty of Queen Anne for the Augmentation of the Maintenance of the poor Clergy, have by their petition humbly represented unto Us, that by an Act of Parliament, made and passed in the first year of our reign, chapter 20, intituled, "An Act for the Consolidation of the offices of First Fruits and Tenths and Queen Anne's Bounty," it was (by section 1) enacted, that from and after the 24th day of December next, after the passing of the said Act (1838), the office of remembrancer of First Fruits and Tenths, the offices of collectors or receivers of First Fruits and Tenths, and the several clerkships and other offices attached or belonging thereto respectively, should be, and the same were thereby abolished.

That by the said Act (section 3) it is enacted that from and after the said 24th day of December, 1838, the Treasurer for the time being of the said Governors of the Bounty of Queen Anne, for the Augmentation of the Maintenance of the poor Clergy, should be the one and only Collector or Receiver of all the said revenues of First Fruits and yearly perpetual Tenths of all dignities, offices, benefices, and promotions spiritual whatsoever, which should thereafter be or become payable under or by virtue of any Act or Acts of Parliament, or otherwise howsoever, and of all past, present, and future arrears of the same revenues of the First Fruits and Tenths respectively, and that the monies to be received by such Treasurer for the time being of the said Governors of the Bounty of Queen Anne should be from time to time paid and disposed of and accounted for by such Treasurer.

That by the said Act (section 5) it is enacted that from and after the 24th day of December, 1838, all returns by the Bishops of the several Dioceses and by other Ordinaries of institutions to benefices, and all returns whatsoever heretofore made to, and all notices, process, and other proceedings, charges, discharges, bonds, recognizances, estreats, matters, and things usually issued, done, had, received, filed, recorded, or taken by or under the authority of the said Remembrancer or First Fruits and Tenths, or the said Collectors or Receivers of First Fruits and Tenths, and other officers whose offices were thereby abolished, or any of them, for the recovery or enforcing the payment of the said revenues of First Fruits and Tenths, or for any other purposes whatsoever, and which should from thenceforth be by law required, or needful to be made and delivered, issued, done, had, received, filed, recorded, or taken should be respectively made and delivered to, and issued, done, had, received, filed, recorded and taken by the said Treasurer, or the Clerks in the office of such Treasurer, by and under his direction, according to the course and practice of such office.

That by the said Act (section 6) it is enacted that from and after the said 24th day of December, 1838, all such searches, copies, or extracts as may be made, taken, or obtained by any person or persons whomsoever, in and from the records, books, and other documents, in or belonging to the said offices of First Fruits and Tenths respectively, should be made and taken from the said records, books, and other documents, and all other similar records, books, and other documents for the time being, which by virtue of this Act should be in or belonging to the office of the said Treasurer, at such time or times, and in such manner, and upon payment of such fees as the said Governors, should under their common seal order and direct.

That by the said Act (section 7) it is enacted that in the meantime, and until such order or orders should be made in that respect as were thereafter provided, all fees for such searches and copies or extracts as aforesaid, and all such other fees, perquisites, and other payments whatsoever (except salaries) as were paid to or received by and for the use and benefit of the said Remembrancer and other officers whose offices were thereby abolished, should be paid to and received by the said Treasurer, and should be by him
from

from time to time accounted for and paid and disposed of in the same manner, and for the same purposes, as the said revenues of First Fruits and Tenths thereby made payable to him.

That by the said Act (section 8) it is enacted that the said Treasurer should, upon or immediately after the receipt of every return of institutions made by the Bishop of the respective dioceses of England and Wales, or other ordinaries, deliver or transmit by the post or otherwise to every Clerk or other person instituted to any ecclesiastical benefice, an account or statement in writing of the payments (if any) which are to be made by him for or in respect of the First Fruits and yearly Tenths of such benefices, and of the time and manner of making such payments.

That by the said Act (section 9) it is enacted that when and so often as it should appear to the said Treasurer that any person liable to the payment of First Fruits or Tenths should have omitted or neglected to pay the same respectively for one calendar month over or after the proper time for such payment, the said Treasurer for the time being should thereupon give to each such person a notice in writing, or transmit the same by the post, addressed to him at the place of residence belonging to the benefice or ecclesiastical preferment in respect of which such payment was required, or other his usual place of residence, if known to the said Treasurer, stating the amount then appearing to be due from such person for or in respect of First Fruits and Tenths respectively, and that such notice should be from time to time repeated so often as the said Treasurer might deem expedient; and that in particular, between the 29th day of September and the 25th day of December in every year, such a notice should be given, sent, or transmitted as aforesaid, to every Archbishop, Bishop, or other Dignitary, Rector, Vicar, or other person from whom any First Fruits or yearly Tenths, or any sum or sums of money in respect thereof, might then appear to be due, to the end that the payments of such First Fruits and Tenths might in no case be omitted or neglected through ignorance or inadvertence.

That by the said Act (section 19) it is enacted that it should be lawful for Us and Our Successors under Our of their Royal sign manual from time to time as there should be occasion, and at the recommendation of the said Governors of the Bounty of Queen Anne, to make rules, orders, regulations, and arrangements for the better collecting, receiving, and enforcing the payment of the said First Fruits and Tenths, and accounting for the same, and for prescribing or regulating the duties of the said Treasurer for the time being with respect to the said First Fruits and Tenths, and his receipt disposition, and accounting for the same, and the number, duties, and employment of the Clerks or other persons to be employed therein under the direction of such Treasurer or otherwise, and for the remuneration of such Treasurer, Clerks, and other persons respectively, for the duties performed by him and them respectively in the matters aforesaid, either by a fixed salary or salaries, or by the appropriation to him or them respectively, for his or their own benefit, of all or any of the fees thereinbefore directed to be paid to such Treasurer for the time being, and for enforcing and carrying into more complete operation the objects and purposes of the said Acts.

That it appears by a Schedule annexed, and referred to by the said Act, that the Officers and Clerks of the late offices of First Fruits and Tenths, and the salaries and fees received by them respectively, were as follows:—

FIRST FRUITS OFFICE.		£ s. d.	£ s. d.
Henry Warre, Esq., Remembrancer	Annual Average Amount of Fees ...	560 0 0	
	Payment from the Court of Exchequer in lieu of certain abolished Fees	63 0 0	623 0 0
George Arbuthnot, Esq., Receiver - Mr. George Gunthorpe, senior sworn Clerk	Annual Average Amount of Fees	282 14 2	250 0 0
	Under Receiver's Patent	20 0 0	282 14 2
Mr. John Geesin, junior sworn Clerk	Annual Average Amount of Fees	- - -	118 4 9
TENTHS' OFFICE.			
The office of Receiver has lately become vacant by the death of Thomas Venables, Esq., who had received	Salary	300 0 0	
	Fees	125 0 0	425 0 0
Richard Griffiths, senior Clerk	Salary	- - -	100 0 0
William Bridges, junior Clerk	Salary (besides the fees on notices, the amount of which is not stated)	- - -	100 0 0
Office Keeper		- - -	25 0 3
Rent of Office, Stationery, Coals, and Sundries		- - -	90 0 0
Total		- - -	£2,022 18 11

That

That according to this account it appears that the above amount of 2,022*l.* 18*s.* 11*d.* paid to the said late Officers arose from the following sources, viz. :—

	£	s.	d.	£	s.	d.
Received from Fees from the Clergy - - - - -	1,065	18	11			
From the Court of Exchequer - - - - -	63	0	0			
From the Revenue of First Fruits and Tenths - - - - -	894	0	0			
				2,022	18	11
Add amount since ascertained of Fees on Notices - - - - -				120	0	0
Total - - - - -				£2,142	18	11

That the several Officers and Clerks before mentioned (except Mr. John Geesin and Mr. William Bridges, who are proposed to be employed in the new office as after mentioned) have been or are about to be compensated in pursuance of the said Act, and are no longer employed in the collection of First Fruits and Tenths.

That the Treasurer of the Governors of the Bounty of Queen Anne entered upon his duties as Collector or Receiver of the said revenues of First Fruits and Tenths on the 24th day of December, 1838 (at which time the offices of First Fruits and Tenths ceased), at the Bounty Office, in Dean's Yard, Westminster, and he has since, with the privity and approbation of the said Governors employed the said John Geesin and the said William Bridges, and also the Clerks before engaged in the Bounty Office, to assist him.

That pursuant to the said 19th section of the said Act, the Governors of the said Bounty have agreed upon and prepared, and now humbly recommend to Us the following plan for carrying on the business of collecting, receiving, and enforcing and accounting for, the said revenues of First Fruits and Tenths, and for prescribing and regulating the duties of the said Treasurer with respect to the said First Fruits and Tenths, and the number, duties, and employment of the Clerks or other persons to be employed therein, under the direction of the said Treasurer, and for the remuneration of the said Treasurer, Clerks, and other persons respectively.

1. That the Treasurer shall in all things strictly comply with the directions of the said recited Act of Parliament, and such rules and orders as shall be made by Us, or Our Successors, under the Royal Sign Manual, with respect to the duties thereby imposed upon that officer for the better collecting, receiving, and obtaining and, if occasion require, for enforcing payment of the revenues of First Fruits and Tenths.

2. That the Treasurer shall every day at the close of the office, pay the gross amount of the day's receipts, in respect of First Fruits and Tenths, into the name and to the credit of the Governors of the said Bounty at their Bankers.

3. That the Clerks and other persons who are to act under the direction of the Treasurer, shall from time to time be appointed by the Governors, the number of them and their salaries, and the duties to be performed by them, being subject to such orders, regulations, and arrangements as We, on the recommendation of the Governors, shall be pleased to make.

4. That the said John Geesin shall be Clerk to the Treasurer, to assist him in all matters concerning the collecting, receiving and enforcing payment of, in all other matters relating to the First Fruits; and the said William Bridges shall be Clerk to the Treasurer, to assist him in like manner with respect to the Tenths; and that the said two Clerks and their respective Successors shall, when necessary, assist each other in their respective departments, under the direction of the said Governors or of the Treasurer; and that Mr. John Holford, the present Clerk to the Secretary of the Governors, and Mr. George Aston and Mr. Benjamin Aston, the present Clerks to the said Treasurer, and their respective Successors, shall assist the said Treasurer in such manner as the said Governors or the said Treasurer shall direct and require, with respect to the business of the office concerning both the First Fruits and Tenths.

5. That Mr. Charles Ansell, the present Auditor of the said Governors, and his Successors shall be employed to audit, at such times as shall be required by the Governors, all the accounts of the Treasurer touching the collection of the First Fruits and Tenths.

6. That a Porter or Office-keeper shall be appointed by the Governors, independently of the Messenger now employed by them.

7. That a Housekeeper shall be appointed by the Governors for the several offices.

8. That

8. That the following yearly salaries and payments shall be allowed :—

	£ s. d.	£ s. d.
To the Treasurer, in the place of the late Remembrancer, who received	623 0 0	
And of the late Receiver of First Fruits, who received	250 0 0	350 0 0
And of the late Receiver of Tenths, who received	425 0 0	
	1,298 0 0	
To Mr. John Gessin, Clerk as to First Fruits, in the place of Mr. Gunthorpe, who received	282 14 2	200 0 0
And Salary as junior Clerk	118 4 9	
	400 18 11	
To Mr. William Bridges, Clerk as to Tenths, in the place of Mr. Richard Griffiths, who received :—		
Salary, £100 ; Fees, £80	160 0 0	
And of his own late salary as junior Clerk	100 0 0	200 0 0
And of Fees, the amount of which is not named in the Schedule, about	60 0 0	
	320 0 0	
Mr. John Holford, Clerk to the Secretary of the Bounty		30 0 0
To Mr. George Aston, senior Clerk to the Treasurer		50 0 0
To Mr. Benjamin Aston, junior Clerk to the Treasurer		30 0 0
To Mr. Charles Ansell, Auditor		25 0 0
To a Porter or Office-Keeper		60 0 0
To a Maid-servant for keeping the offices in order		50 0 0
For coals, wood, candles, soap, brushes, etc.		40 0 0
Total		£1,035 0 0

9. That no part of the fees to be received in future from the Clergy with respect to First Fruits and Tenths, shall be allowed to the said Treasurer, or any other person or persons, for their or any of their own use and benefit, but shall be accounted for, and paid, and disposed of in the same manner, and for the same purposes, as the said revenues of First Fruits and Tenths.

And whereas the said Governors have humbly requested that We would be graciously pleased, under Our Royal sign manual, to approve, establish, and confirm the plan contained in the nine several propositions hereinbefore recommended by them. We have thought fit to approve of the said plan, and do by these presents approve, establish, and confirm the same accordingly.

Given at our Court at Saint James's, the 8th day of March 1839, in the second year of our reign.

By Her Majesty's Command,

J. Russell.

Royal Sign Manual, 8th Victoria. (14 March, 1845.)

Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, to all to whom these presents shall come, greeting. Whereas the Governors of the Bounty of Queen Anne for the Augmentation of the Maintenance of the poor Clergy have humbly represented unto Us, that the Governors are by their rules enabled to meet benefactions with grants out of the money which may in each year be at their disposal, and to appropriate such benefactions and grants to the augmentation of the particular cures for the use of which such benefactions may be given.

That by the sixth rule contained in the Letters Patent, granted by Her Majesty Queen Anne, on the 5th day of March, in the twelfth year of her reign, it is prescribed :—

“That if several benefactors offer themselves, the Governors shall first comply with those that offer most.”

And by the seventh rule therein it is prescribed :—

“That where the sums offered by other benefactors are equal, the Governors shall always prefer the poorer livings.”

And by the eighth rule it is prescribed :—

“That where the cures to be augmented are of equal value, and the benefactions offered by others are equal, there they shall be preferred that first offer.”

That the Governors have found it inconvenient in practice to be limited in their grants to meet benefactions by the several rules before recited, and they consider it would conduce to the more perfect administration of the trust reposed in them if the same were severally repealed. And they therefore propose :—

“That the sixth, seventh, and eighth rules contained in the said Letters Patent of the 5th March, twelfth Queen Anne, may be repealed.”

And

And the Governors have agreed upon and prepared the following rule, and do hereby propose that the same may be approved and established by Us, under Our Royal sign manual, and be added to their other rules, viz. :—

“That the Governors may make grants out of the monies which in each year may be at their disposal, whether belonging to the Royal Bounty Fund or the Parliamentary Grants Fund, to meet benefactions by others for the augmentation of cures qualified by their rules to receive the same, and that the said Governors may in their grants to meet benefactions, prefer such cures so qualified as aforesaid, out of all those for which in any year benefactions shall be offered, as shall in their judgment appear best entitled to be so augmented.”

And the said Governors do humbly pray Us, that the sixth, seventh, and eighth rules in the said letters patent, of the 5th March, twelfth Queen Anne, severally hereinbefore set forth, may be void, and that the rule hereby proposed may be approved, confirmed, and established by Us, and added to the existing rules granted by Us and our Royal predecessors to the said Governors. We have thought fit to approve of the said rule, and do by these presents approve and establish the same accordingly, and do hereby direct that the said rule be added to the other rules formerly given and established by our late Royal predecessor Queen Anne, by her Letters Patent, granted as above mentioned to the Governors of the said Bounty for the Augmentation of the Maintenance of the poor Clergy.

Given at our Court at St. James's, the 14th day of March, 1845, in the eighth year of our reign.

By Her Majesty's command,

J. R. G. Graham.

Royal Sign Manual, 16th Victoria (17th June 1853).

Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, to all to whom these presents shall come, greeting. Whereas the Governors of the Bounty of Queen Anne for the Augmentation of the Maintenance of the poor Clergy, have by their petition humbly represented unto Us, that by an Act of Parliament passed in the first year of our reign intituled “An Act for the Consolidation of the Offices of First Fruits and Tenths,” it was, amongst other things, enacted that it should be lawful for us and our successors, under the Royal sign manual, from time to time as there should be occasion, and at the recommendation of the said Governors of the Bounty of Queen Anne, to make rules, orders, regulations, and arrangements for the better collecting, receiving and enforcing the payment of the said First Fruits and Tenths, and accounting for the same, and for prescribing or regulating the duties of the said Treasurer, for the time being, with respect to the said First Fruits and Tenths, and his receipt, disposition, and accounting for the same; and the number duties and employment of the Clerks, or other persons to be employed therein, under the direction of such Treasurer, or otherwise; and for the remuneration of such Treasurer, Clerks, and other persons respectively, for the duties performed by him or them respectively in the matters aforesaid, either by a fixed salary or salaries, or by the appropriation to him or them respectively, for his or their own benefit, of all or any of the fees thereinbefore directed to be paid to such Treasurer for the time being, and for enforcing and carrying into more complete operation the objects and purposes of the said Acts.

That We were pleased, by an instrument under Our Royal Sign Manual, dated the 8th day of March 1839, to approve, establish, and confirm a plan which the Governors of the said Bounty had humbly represented unto Us, for carrying on the business of collecting, receiving, and enforcing and accounting for the said revenue of First Fruits and Tenths, and for prescribing and regulating the duties of the Treasurer with respect to the said First Fruits and Tenths, and the number, duties and employment of the Clerks, or other persons to be employed therein, under the direction of the said Treasurer, and for the remuneration of the said Treasurer, Clerks, and otherpersons, which said plan contained the nine separate propositions in the said instrument set forth, and by the third, fourth and eighth of them it was proposed as follows :—

3rd. “That the Clerks and other persons who were to act under the direction of the Treasurer should from time to time be appointed by the Governors, the number of them and their salaries, and the duties to be performed by them, being subject to such orders, regulations, and arrangements as We, on the recommendation of the Governors, should be pleased to make.”

4th. “That John Geesin should be Clerk to the Treasurer, to assist him in all matters concerning the collecting, receiving, and enforcing payment of, and in all other matters relating to the First Fruits; and William Bridges should be Clerk to the Treasurer, to assist him in like manner with respect to the Tenths, and that the said two Clerks and their respective successors should, when necessary, assist each other in their respective departments, under the direction of the said Governors, or of their Treasurer.”

8th. "That the following yearly salaries and payments should be allowed (*inter alia*):—

	£	s.	d.	£	s.	d.
To Mr. John Geesin, Clerk as to First Fruits				200	0	0
In the place of Mr. Gunthorpe, who received	282	14	2			
And salary of junior Clerk	118	4	9			
	400	18	11			
To Mr. William Bridges, as to Tenths				200	0	0
In the place of Mr. Richard Griffiths, who received	100	0	0			
Fees	60	0	0			
	160	0	0			
And of his own salary as junior Clerk	100	0	0			
And of Fees, about	60	0	0			
	320	0	0			

That Mr. Gunthorpe and Mr. Griffiths were not continued in their respective stations on the annexation of the offices in 1838, and Mr. Gunthorpe was, by virtue of a Treasury warrant, compensated for his loss of office with an annuity of 241*l.* 15*s.* 0*d.*, which he still receives from the Governors, and Mr. Griffiths in like manner, with an annuity of 124*l.* 16*s.* 5*d.* (being three-fourths of the salary and allowances he had before enjoyed) which was paid by the Governors to Mr. Griffiths till his death.

That since the grant of the said rule in 1839, the collection of the Revenues of First Fruits and Tenths, and the management of the business connected therewith has been conducted in accordance therewith; and the said John Geesin and William Bridges have from that period until the recent failure of the health of the said William Bridges which has wholly disabled him from any longer performing the duties of the office, acted together as Clerks to the Treasurer with respect to the said Revenues.

That the said William Bridges had been for twelve years a Clerk in the Tenth's Office, previous to his appointment as Clerk to the Treasurer; on the consolidation of offices in the year 1838, so that his length of service extends to 26 years.

That the Governors, in consideration of his long and faithful services, propose that a retired allowance should be assigned to the said William Bridges, now in his 66th year and incapacitated, which if computed at the same rate as that awarded by the Treasury Warrant to Mr. Griffiths, would amount to 150*l.*, but as the present is not a case of reconstruction of the office, but of a totally different character, the Governors consider that the lower sum of 100*l.* per annum would be sufficient allowance to the said William Bridges.

That judging from experience, the Governors are of opinion that the existing arrangement is capable of improvement, and that for the future it would be preferable, instead of appointing one Clerk to assist the Treasurer as to First Fruits and another as to Tenths, that there should be one senior Clerk and one junior Clerk, who would together assist the Treasurer as to both First Fruits and Tenths, the business of the collection of them being in fact carried on in the same room.

That the Governors are informed by the Treasurer and the Chief Accountant and Cashier that the duties attending the collection of First Fruits and Tenths are more onerous than was reckoned on when the present salaries were fixed, and they therefore, are of opinion that the total yearly amount hitherto paid may with justice be increased by the sum of 50*l.*; and the Governors have agreed upon and prepared the following rules, and do thereby propose and recommend that the same may be approved by our Royal sign manual, and be added to the other rules.—

1. That the Governors shall pay to the said William Bridges during his life, a yearly sum of 100*l.*, in compensation of his long and faithful services.

2. That Mr. John Geesin, the present Clerk, as to the First Fruits, shall be senior Clerk to the Treasurer, as to First Fruits and Tenths, and that he and his successors in such office to be from time to time appointed by the Governors shall act under the direction of the Treasurer, and shall receive a yearly salary of 300*l.*, and that the Governors shall on the present occasion, appoint a proper person to be junior Clerk to the Treasurer as to First Fruits and Tenths and the same on every vacancy of such junior Clerkship; and that such person shall assist the senior Clerk and act under the direction of the Treasurer and the senior Clerk; and that the junior Clerk for the time being shall receive a yearly salary of 150*l.*

And whereas the said Governors have humbly prayed that these rules, by which the before stated propositions in the before recited instrument under our Royal sign manual, dated the eighth day of March 1839, are proposed to be altered as to the Clerks to the Treasurer with respect to First Fruits and Tenths, may be approved, confirmed, and established by Us, and added to the existing rules granted by Us and our Royal predecessors to the said Governors. We have thought fit to approve, confirm, and establish

the same accordingly; and We do direct and command that such rules be added to the existing rules granted by Us and our Royal predecessors to the said Governors.

Given at our Court at St. James's, the 17th day of June, 1853, in the sixteenth year of our reign.

By Her Majesty's Command,

Palmerston.

Royal Sign Manual, 19th Victoria—(14th February, 1856).

Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, to all to whom these presents shall come, greeting. Whereas the Governors of the Bounty of Queen Anne for the Augmentation of the Maintenance of the poor Clergy have humbly represented unto Us, that by Letters Patent, bearing date the 5th day of March, the twelfth year of the reign of Her late Majesty Queen Anne, certain rules were established for carrying on the trusts reposed in the said Governors, amongst which are the following, viz. :—

“That the stated sum to be allowed to each cure which shall be augmented be 200*l.* to be invested in a purchase at the expense of the Corporation.

“That in order to encourage benefactions from others, and thereby the sooner to complete the good that was intended by our Bounty, the Governors may give the said sum of 200*l.* to cures not exceeding 35*l.* per annum where any persons will give the same or greater sum in land or tithes.”

That by an instrument in writing under the Royal Sign Manual bearing date the 23rd day of February, in the first year of Our reign, the following rule was established, viz. :—

“That henceforth it shall be lawful for the Governors at their discretion, and if they shall think it expedient, but not otherwise, to give in any one year to the same cure one or more than one sum, but not exceeding three sums of 200*l.* each out of the Royal Bounty Fund, or the Parliamentary Fund, if such cure be fitly qualified, and do not exceed the improved yearly value of 200*l.*, in every or any case where any person or persons, in order to obtain the same, will in respect of each such sum of 200*l.* as aforesaid, give to the said cure a benefaction of 200*l.* or a greater sum in money, or of lands or tithes of the value of a greater value than 200*l.* or of a rent charge or stipend of or exceeding the sum of 15*l.* per annum, and whether each such benefaction shall consist partly of money, partly of land, and partly of a yearly rent charge or stipend, or of any two of the said several kinds of benefaction, but so, nevertheless, that each such mixed benefaction be not in the whole less in value or amount than the sum of 200*l.*, and that for the purpose of ascertaining and fixing the total value of each such fixed benefaction, it shall be considered and computed that an annual rent charge or stipend of 15*l.* is equal to a sum of 200*l.* in money, and to land and tithes or any or either of them, of the value altogether or separately, as the case may be, of 200*l.*, and so in proportion for any less sum than 15*l.* of annual rent charge or stipend.

That the applications to the Governors for grants to meet benefactions chiefly for the purpose of providing parsonage houses for the residence of incumbents of poor livings have of late become so numerous that the Governors have not had sufficient funds at their disposal to meet the greater number of such applications with a grant in each case of 200*l.*, and the Governors consider that if they were empowered to grant at their discretion a less sum than 200*l.* to meet benefactions for the purpose of providing residence houses, they would, in consequence, have the means of meeting a much greater number of applications from benefactors for grants for that most beneficial purpose.

And the said Governors have agreed upon a rule, and do humbly solicit the same may be approved and established by Us under Our Royal sign manual, and be added to their other rules, viz. :—

“That grants hereafter to be made by the Governors to cures to meet benefactions according to their rules, may, at the discretion of the Governors, be of a less sum than 200*l.* in cases in which the declared object of benefactors is to provide a house for the residence of the incumbent, such grants, however, to be in no case less than 100*l.*”

And do humbly request that this rule may be added to the other rules formerly given and established by Our Royal predecessor, Queen Anne, by her letters patent, granted to the said Governors of the Bounty of Queen Anne, for the Augmentation of the Maintenance of the poor Clergy.

We have thought fit to approve of the said rule, and do by these presents approve and establish the same accordingly, and do hereby direct that the said rule be added to the other rules granted by Us and Our Royal predecessors to the said Governors.

Given at our Court at St. James's the 4th day of February, 1856, in the nineteenth year of our reign.

By Her Majesty's Command,

G. Grey.

Royal Sign Manual, 37th Victoria (7th November, 1873).

Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith, to all to whom these presents shall come, Greeting! Whereas the Governors of the Bounty of Queen Anne for the Augmentation of the Maintenance of the poor Clergy, have by their Petition, humbly represented unto us that by an Act of Parliament passed in the first year of our Reign, intituled "An Act for the Consolidation of the Offices of First Fruits and Tenths," it was amongst other things enacted that it should be lawful for us and Our Successors under the Royal Sign Manual from time to time as there should be occasion, and at the recommendation of the said Governors of the Bounty of Queen Anne, to make rules, orders, regulations, and arrangements for the better collecting, receiving, and enforcing the payment of the said First Fruits and Tenths, and accounting for the same, and prescribing for or regulating the duties of the said Treasurer for the time being with respect to the said First Fruits and Tenths, and his receipt, disposition, and accounting for the same, and the number duties and employment of the Clerks, or other persons to be employed therein under the direction of such Treasurer or otherwise; and for the remuneration of such Treasurer, Clerks, and other persons respectively, for the duties performed by him and them respectively in the matters aforesaid, either by a fixed salary or salaries, or by the appropriation to him or them respectively for his or their own benefit, of all or any of the Fees thereinbefore directed to be paid to such Treasurer for the time being, and for enforcing and carrying into more complete operation the objects and purposes of the said Act.

That we were pleased by an Instrument under Our Royal Sign Manual, dated the eighth day of March, One thousand eight hundred and thirty nine, to approve, establish, and confirm a plan which the Governors of the said Bounty had humbly represented unto Us for carrying on the business of collecting, receiving, and enforcing and accounting for the said Revenue of First Fruits and Tenths, and for prescribing and regulating the Duties of the Treasurer with respect to the said First Fruits and Tenths, and the number duties and employment of the Clerks or other persons to be employed therein under the direction of the said Treasurer, and for the remuneration of the said Treasurer, Clerks, and other Persons, which said plan contained the nine separate propositions in the said Instrument set forth, and by the third of them it was proposed as follows:—

3rd. "That the Clerks and other persons who were to act under the directions of the Treasurer should from time to time be appointed by the Governors, the number of them and their salaries, and the duties to be performed by them, being subject to such orders, regulations, and arrangements, as we on the recommendation of the Governors should be pleased to make."

That we were further pleased by an instrument under our Royal Sign Manual dated the Seventeenth day of June One thousand eight hundred and Fifty-three to approve, establish and confirm the following additional Rules.

1st. That the Governors shall pay to the said William Bridges during his life a yearly sum of 100*l.* in compensation of his long and faithful services.

2nd. That Mr. John Geesin the present Clerk as to the First Fruits shall be Senior Clerk to the Treasurer as to First Fruits and Tenths and that he and his successors in such Office to be from time to time appointed by the Governors shall act under the direction of the Treasurer and shall receive a yearly salary of 300*l.* and that the Governors shall on the present occasion appoint a proper person to be Junior Clerk to the Treasurer as to First Fruits and Tenths and the same on every vacancy of such Junior Clerkship; and that such person shall assist the Senior Clerk, and act under the direction of the Treasurer and the Senior Clerk, and that the Junior Clerk for the time being shall receive a yearly salary of 150*l.*

That since the grant of the said rule in 1853 both the said William Bridges and John Geesin are deceased and that their positions of Senior and Junior Clerks have long been occupied by their respective Successors.

That an Act was passed in the 34th year of Our Reign intituled "An Act to enable the Governors of Queen Anne's Bounty to provide Superannuation allowances for their Officers" the scale of Allowances thereunder being at the rate of one Sixtieth of the Salary and Emoluments of any Officer or Clerk (who may have served upwards of ten years) in respect of each year of his service up to but not beyond an allowance of forty sixtieths.

That the Junior Clerk named William Scott is now upwards of 83 years of age and that he has been in the employ of the Governors for more than 20 years at the prescribed Salary of 150*l.*

That to ensure efficiency and to promote economy the Governors deem it desirable that they should be authorized to apply the provisions of the last recited Act when required to the Office of First Fruits and Tenths and that they should also be authorised to regulate the Salaries of the Clerks in the said Office in the same manner that they determine the Salaries of the other Clerks employed by them in the conduct of the General business of the Board.

That the effect of these recommendations would be to enable the Governors to part with the so-called Junior Clerk now 83 and after 20 years service at 150*l.* per annum to grant him a pension of 50*l.* and that they could then appoint an active and faithful Junior Clerk to commence with a Salary of 100*l.* thus securing the due conduct of the business of the department for the year ensuing without any additional charge upon their revenue—and the Governors have agreed upon and prepared the following Rules, and do thereby propose and recommend that the same may be approved by Our Royal Sign Manual and be added to their other Rules.

1. That the provisions of the said Act granting superannuation allowances to their Officers and Clerks generally shall be applied by the Governors to the Officers and Clerks specially employed by them in relation to First Fruits and Tenths.

2. That the Salaries of the Officers and Clerks already or hereafter to be appointed by the said Governors in the Office of First Fruits and Tenths shall be fixed by the said Governors.

And whereas the said Governors have humbly prayed that these rules by which the before stated propositions in the before recited instruments under Our Royal Sign Manual, dated the 8th day of March, 1839, and 17th day of June, 1853, are proposed to be altered as to the Clerks to the Treasurer with respect to First Fruits and Tenths may be approved, confirmed, and established by Us and added to the existing Rules granted by Us and Our Royal Predecessors to the said Governors, we have thought fit to approve, confirm, and establish the said Rules, and do by these Presents approve, confirm, and establish the same accordingly, and we do direct and command that such Rules be added to the existing Rules Granted by Us and Our Royal Predecessors to the said Governors.

Given at Our Court at St. James's the seventh day of November, 1873, in the thirty-seventh year of Our Reign.

By Her Majesty's Command.

(Signed) *R. Lowe.*

Royal Sign Manual, 39 Victoria (26th July, 1875).

Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith, to all to whom these Presents shall come, Greeting.

Whereas the Governors of the Bounty of Queen Anne for the Augmentation of the Maintenance of poor Clergy have by their Petition humbly represented unto Us that Our Royal Predecessor Queen Anne did by her Letters Patent, bearing date the 5th day of March, in the year of our Lord 1713-14, grant a new Charter to the Corporation of the Governors of the Bounty of Queen Anne for the Augmentation of the Maintenance of the Poor Clergy, which Charter contained the following Proviso:—"Reserving nevertheless to Us, Our Heirs and Successors full and absolute power and authority from time to time and at all times hereafter under Our or their Great Seal to make any alteration in the several and respective Orders aforesaid, and to give and make in like manner such other Orders, Rules, and Directions for and concerning the better government of the said Corporation, and for the managing, governing, applying, and disposing of Our Royal Bounty to them granted, and for the Augmentation and maintenance of the Poor Clergy according to the true intention of the said Letters Patent of Incorporation as to Us, Our Heirs, and Successors shall seem meet."

That by an Act of Parliament, passed in the first year of the reign of His late Majesty King George the First, it was enacted that all such Rules and Orders as should from time to time be agreed upon, prepared, and proposed by the said Governors to His said Majesty, His Heirs, and Successors, and by him or them approved under his or their Sign Manual shall be as good, valid, and effectual Rules and Orders, as if the same were made or established one under the Great Seal.

That the said Governors after due consideration at two General Courts have unanimously agreed "that it is expedient to invest a limited amount of the Capital at the disposal of the Board in Railway Debenture Stock," but they are advised by Counsel that without the Authority of Our Sign Manual for which they may properly apply they have no power to make such an Investment.

That the said Governors have, therefore, agreed upon and prepared the following New Rule, and do humbly propose that the same be Approved and established by Us under Our Royal Sign Manual and be added to the other Rules, *Videlicet*,

"That it shall be lawful for the Governors at their Discretion to place out at Interest in Railway Debenture Stock a portion of the Capital now or at any time hereafter in their Hands either by thus Investing Money received or held by them or by the exchange and conversion of a part of the Stocks, Funds, and Securities vested in them."

And whereas the said Governors have humbly prayed that the said Rule may be added to the other Rules already given and established by Us and Our Royal Predecessors, and granted by Us to the said Governors for the Augmentation of the Maintenance of the Poor Clergy

Clergy. We have thought fit to approve, confirm, and establish the said Rule, and do by these Presents approve, confirm, and establish the same accordingly; and We do direct and command that such Rule be added to the existing Rules granted by Us and Our Royal Predecessors to the said Governors.

Given at Our Court of Saint James's the Twenty-Sixth Day of July, 1875, in the thirty-ninth year of Our Reign.

By Her Majesty's Command,
(Signed) *R. A. Cross.*

Royal Sign Manual, 45th Victoria. (16th August, 1881.)

Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith, To all to whom these Presents shall come, Greeting!

Whereas the Governors of the Bounty of Queen Anne for the Augmentation of the Maintenance of the Poor Clergy have by their Petition under their Common Seal humbly represented unto Us that by Our Letters Patent, dated the twenty-second day of February in the thirty-fourth year of Our Reign, We were graciously pleased to appoint Joseph Keech Aston to the joint office of Secretary and Treasurer of the said Corporation and as such to act also as Collector or Receiver of the Revenues of First Fruits and Tenths.

That the office was previously held by the late Christopher Hodgson, who received a Salary of One thousand three hundred and fifty pounds, residing in the house in which are the Offices of the Board, free of rent, and who also practised privately as a Solicitor by which his income was considerably increased. That the present Secretary and Treasurer, who is a Barrister-at-Law, was required upon his appointment with a Salary of One thousand pounds to devote his whole time and attention to the duties of the Office; and since the Attorneys and Solicitors Act was passed in the thirty-seventh and thirty-eighth years of Our Reign he has acted as a Solicitor in the conduct of a portion of the legal business of the Board, all fees and charges resulting therefrom or saved thereby benefiting the Common Fund of the Corporation.

That since the passing of the Ecclesiastical Dilapidations Act, 1871-2, the duties of the Secretary and Treasurer have been considerably added to in extent and responsibility.

That since the appointment of the present Secretary and Treasurer the annual receipts and payments, for the due collection and disbursement of which he is responsible, have largely increased in number and amount. The Trust Capital of the Board in 1870 was 3,287,500*l.*, and is now 4,086,600*l.*

That after more than ten years' diligent service the Governors are of opinion that the salary of their Secretary and Treasurer might be increased, and also that he should be allowed to reside in the official residence free from rent.

That under the circumstances above stated the Governors of the Bounty of Queen Anne humbly recommend to us as follows:—

1. That the salary of their Secretary and Treasurer, Joseph Keech Aston, should be increased from one thousand pounds to one thousand four hundred pounds per annum payable out of the Revenues of the Corporation.

2. That their Secretary and Treasurer should reside in that part of the official residence allotted to him without paying any rent in respect thereof.

And whereas the said Governors have humbly requested Us to approve, establish, and confirm the recommendations above stated under Our Royal Sign Manual if in Our Royal Wisdom We shall so think fit.

And We, having taken the premises into Our Royal Consideration, Our Will and Pleasure is and we do hereby direct that the salary of the Secretary and Treasurer of the said Corporation be one thousand pounds per annum, rising after five years' service to twelve hundred pounds per annum; and he shall reside in that part of the official residence allotted to him without paying any rent in respect thereof.

And Our further Will and Pleasure is that the above Provisions shall take effect from the date of this Our Royal Sign Manual.

Given at Our Court of Saint James's the sixteenth day of August, 1881, in the forty-fifth year of Our Reign.

By Her Majesty's Command.
(Signed) *W. V. Harcourt.*

Royal Sign Manual, 59th Victoria (3rd March, 1896).

Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, To all to whom these presents shall come, Greeting!

Whereas, the Governors of the Bounty of Queen Anne for the Augmentation of the Maintenance of the Poor Clergy have by their Petition humbly represented unto Us.

That

That we in exercise of the power given by an Act of Parliament passed in the First year of the Reign of His Majesty King George the First, Chapter 10, have been pleased by Instruments under Our Royal Sign Manual dated respectively the Twenty-sixth day of July, One thousand eight hundred and seventy five, the sixth day of January, One thousand eight hundred and eighty seven, and the twenty second day of August, one thousand eight hundred and ninety, to establish from time to time new Rules as to the powers to be exercised by the Governors of Queen Anne's Bounty for the Augmentation of the Maintenance of the Poor Clergy in the investment of the moneys for time being in their hands.

That the Governors are the owners of Freehold ground rents of considerable value, and that after full consideration they are of opinion that it would be expedient that in addition to their other powers of investment authority should be given to them to invest a portion of the moneys for the time being in their hands on the security of mortgage of the long leasehold terms of years on the determination of which the Governors will become entitled to the said freeholds in possession.

That the Governors have agreed upon and prepared the following New Rule and do humbly recommend and propose that We may be graciously pleased to approve and establish the same and do direct and command that the said Rule may be added to the Rules granted by Us and Our Royal Predecessors to the Governors, viz.

"That in addition to their other powers of investment the Governors may invest money on leasehold securities when the freehold reversions immediately expectant on the determination of such leaseholds are vested in the Governors."

And whereas the said Governors have humbly prayed that we will approve, confirm, and establish the Rule above stated under Our Royal Sign Manual if in Our Royal Wisdom we shall so think fit.

Know Ye that We have thought fit to approve, confirm, and establish, the said New Rule, and do by these Presents approve, confirm, and establish the same accordingly.

And we direct and command that such Rule be added to the existing Rules granted by Us and Our Royal Predecessors to the said Governors.

Given at Our Court at Saint James's the Third day of March 1896 in the fifty-ninth year of Our Reign.

By Her Majesty's Command.

(Signed) *M. W. Ridley.*

Royal Sign Manual 50th Victoria—(6th January, 1887).

Victoria R.

Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith, To all to whom these Presents shall come, Greeting!

Whereas the Governors of the Bounty of Queen Anne for the Augmentation of the Maintenance of the Poor Clergy have by their Petition humbly represented unto Us, That they the said Governors by a Representation made under their Common Seal bearing date the twenty-first day of July One thousand Eight hundred and Seventy-five humbly represented to Us that it would be expedient to invest a limited amount of the Capital at the disposal of the Board in Railway Debenture Stocks:

That they the said Governors were then advised by Counsel that, without the Authority of Our Sign Manual, they had no power to make such an investment:

That We by Royal Sign Manual given on the twenty-sixth day of July One thousand Eight hundred and Seventy-five were graciously pleased to approve confirm and establish the following Rule:—

"That it shall be lawful for the Governors at their discretion to place out at Interest in Railway Debenture Stock a portion of the Capital now or at any time hereafter in their hands either by thus investing money received or held by them or by the exchange and conversion of part of the Stock Funds and Securities vested in them:"

That the power thus granted to the Governors has been exercised by them in different Railways to the extent of Three hundred thousand Pounds.

That they the said Governors after due deliberation at a General Court have agreed that it has become expedient to invest a portion of the Capital at the disposal of the Board in Colonial Securities:

That they the said Governors have accordingly agreed upon and prepared the following new Rule and do humbly recommend and propose that We may be graciously pleased to approve and establish the same and to direct and command that the said Rule may be added to the existing Rules granted by Us and Our Royal Predecessors to the said Governors, videlicet—

"That it shall be lawful for the Governors at their discretion to exchange or invest a portion of the Stocks Fund Securities and Moneys in their hands for or in the Stocks or other Public Funds of the Government of any Colony of the United Kingdom and also bonds or documents of debt of any such Government:"

And

And Whereas the said Governors have humbly prayed that We will approve confirm and establish the Recommendation above stated under Our Royal Sign Manual if in Our Royal Wisdom We shall so think fit:

Know Ye that We have thought fit to approve confirm and establish the said new Rule, and do by these Presents approve confirm and establish the same accordingly: And We do direct and command that such Rule be added to the existing Rules granted by Us and Our Royal Predecessors to the said Governors.

Given at Our Court at St. James's the Sixth day of January, 1887: In the Fiftieth Year of Our Reign.

By Her Majesty's Command,

Henry Matthews.

Royal Sign Manual, 54th Victoria (22nd August, 1890).

Victoria Reg.

Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith, to all to whom these Presents shall come, Greeting!

Whereas the Governors of the Bounty of Queen Anne for the Augmentation of the Maintenance of the Poor Clergy have by their Petition humbly represented unto Us—

That from the year 1704 until 1892 besides making Free Grants the practice of the Corporation was to receive sums of money by way of Benefaction to which the Governors' Grants were added in money, and on the combined cash sums as well as on their free Grants the Board allowed interest to the Incumbents at rates varied from time to time at the pleasure of the Board. Upon the investment of Augmentation money in the purchase of land or tithes for a Benefice the property so purchased has been conveyed to the Incumbent who thenceforward has had the management of the same without intervention or supervision from the Board. In order to provide the *ad interim* interest payable to the Clergy the Governors invested all moneys in the Corporate name in Old South Sea Annuities, Exchequer Bills, and various other Stocks. Besides such Investment in the Public Funds by an Act 17 George III., Chapter 53, etc., the Governors were authorised to lend money on mortgage to Incumbents of Benefices to buy or build houses of residence, etc. Very large sums have been so lent, and the amount outstanding on such Mortgages on the Thirty-first day of December, One thousand eight hundred and eighty-nine was 869,756*l*.

That in 1829, upon a representation of the Governors, the Crown was pleased, by a Royal Sign Manual Warrant dated the 13th of July of that year, to deal with the capital sum belonging to what was then called the Parliamentary Grants' Fund, consisting of 1,080,622*l*. 15*s*. 5*d*. sterling; and the Governors were directed (Rule 2) to "place to the credit of each living to which there is a sum of money remaining appropriated on the Parliamentary Grants' Fund Account, so much 3*l*. per Cent. Bank Annuities out of their Capital," according to the date therein specified, "as shall be equivalent to such sum of money in substitution thereof."

That in 1871 the Governors obtained the opinion of the Lord Chancellor that they might safely invest in Real property, Bank Stock and India Stocks; and the Governors have invested a substantial sum in these securities.

That on the Twenty-sixth of July, One thousand eight hundred and seventy-five, We were pleased to establish a New Rule:—

"That it shall be lawful for the Governors, at their discretion, to place out at interest in Railway Debenture Stock a portion of the Capital now or at any time hereafter in their hands, either by thus investing money received, or held by them, or by the exchange and conversion of part of the Stocks, Funds and Securities vested in them."

That on the Sixth of January, One thousand eight hundred and eighty-seven, We were pleased to establish a further New Rule:—

"That it shall be lawful for the Governors, at their discretion, to exchange or invest a portion of the Stocks, Funds, Securities and moneys in their hands for, or in the Stocks or other Public Funds of the Government of any Colony of the United Kingdom, and also bonds or documents or debts of any such Government."

That the powers granted by Our Royal Sign Manual Warrants of the above recited dates have been exercised by the Governors.

That, under various Acts of Parliament, the Governors have been made the recipients of moneys belonging to Benefices; arising from the sale of Glebe Lands and Residence Houses, the Redemption of Tithe Rent-charges, sums given for increased Endowments, and from other sources; but it is only in the case of moneys received from the sale of Residence Houses under the Act of the 2nd and 3rd Years of Our Reign, Chapter 49, Section 14, and Dilapidation Moneys under the Act of the 34th and 35th Years of Our Reign, Chapter 43, Section 65, that there is any specific direction to invest such moneys; and so far as the first exception is concerned, so soon as the new house shall have been provided, the surplus fund is to be dealt with (by the Act) and the Governors' general powers; and as to the second exception, Dilapidations sums are, by the request of Incumbents, commonly retained as money and uninvested.

That

That the recent conversion of the Public Funds into $2\frac{1}{2}$ per Cents., with a further provision for their diminution in 1903 to $2\frac{1}{2}$ per cent., is bearing hardly upon the Clergy, happening, as it does, contemporaneously with diminished incomes from Glebes and falling Tithe Rent-charges.

That an Act was passed in the Session of Parliament holden in the 52nd and 53rd Years of Our Reign, entitled "The Trust Investment Act, 1899," conferring on Trustees generally wider powers of investment.

That the said Governors, after due deliberation, have agreed upon and prepared the following New Rules, and do humbly recommend and propose that We may be graciously pleased to approve and establish the same, and to direct and command that the said Rules may be added to the Rules granted by Us and our Royal Predecessors to the Governors, *videlicet*—

1. That the directions of the Royal Sign Manual Warrant of the Thirteenth of July, One thousand eight hundred and twenty-nine, be rescinded; and that the Stock placed to the credit of Livings thereunder may, at the discretion of the Governors, be re-converted into money.

2. That all other sums of Stock held by the Governors for Benefices (except the Funds held under the following two Acts, namely:—the Act of the 2nd and 3rd Years of Our Reign, Chapter 49, Section 14, and the Act of the 34th and 35th Years of our Reign, Chapter 43, Section 65), may be, in like manner, converted into money.

3. That in addition to their other powers of Investment the Governors may invest money in any manner in which under the provisions of "The Trust Investment Act, 1889," or of any other Act of Parliament for the time being in force, a Trustee is authorised to invest Trust Funds in his hands.

4. That in the administration of the Funds in the Governors' hands, except Funds under the two Acts before mentioned, the investments and re-investments shall be deemed to be made on the general Corporation account; and no part thereof shall be appropriated to, or at the individual risk of, any particular Benefice.

5. That where the Governors hold Foreign or other Special Securities, received as Gifts in Trust for particular Benefices, and also where they hold sums of Stock for Benefices under either of the Acts mentioned in the foregoing Rule No. 2, they shall be at liberty to retain from the interest and dividends on all such Securities and sums of Stock towards their expenses of management, a sum not exceeding 2 per cent. of such interest and dividends.

And Whereas the said Governors have humbly prayed that We will approve, confirm, and establish the Recommendations above stated under Our Royal Sign Manual (if in Our Royal Wisdom We shall so think fit).

Know Ye, that We have thought fit to approve, confirm, and establish the said New Rules, and do by these Presents approve, confirm, and establish the same accordingly: And We do direct and command that such Rules be added to the existing Rules granted by Us and Our Royal Predecessors to the said Governors.

Given at Our Court at Saint James's the Twenty-second day of August, 1890; in the Fifty-fourth Year of Our Reign.

By Her Majesty's Command.

Henry Matthews.

Royal Sign Manual, 59th Victoria (20th February, 1896).

Victoria Reg.

Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith, to all to whom these Presents shall come, Greeting!

Whereas the Governors of the Bounty of Queen Anne for the Augmentation of the Maintenance of the poor Clergy, have by their Petition humbly represented unto Us—

That We and Our Royal Predecessors have at several times, by instruments under the Royal Sign Manual exercising the power given by an Act of Parliament passed in the first year of the Reign of His Majesty King George the First, Chapter 10, of approving and establishing Rules and Orders proposed by the Governors, and the Original Rules and Constitutions of the Corporation of the Governors have been thereby altered and varied, and certain New Rules and Orders have been established.

That by an Act of Parliament, 43 George the Third, Chapter 107, the Governors are enabled to apply money appropriated by them to the Augmentation of any Living or any part thereof in or towards the building, rebuilding, or purchasing a house and any other proper erections within the Parish, convenient and suitable for the residence of the Minister thereof.

That the said Governors are at present under and by virtue of the said Original Rules and Constitutions (altered and varied as before mentioned) and such New Rules and Orders as aforesaid and by virtue of the said last recited Act of Parliament, authorised and empowered at their discretion, and if they shall think it expedient, but not other-

wise

wise, to give in any one year to the same Cure one or more than one sum, but not exceeding three sums of Two hundred pounds each, if such Cure be fitly qualified and do not exceed the improved yearly value of Two hundred pounds in every or any case, where any person or persons, in order to obtain the same, will, in respect of each such sum of Two hundred pounds, as aforesaid, give to the said Cure a benefaction of Two hundred pounds or a greater sum in money, or of lands or tithes of the value, or a greater value than Two hundred pounds, or of a rent-charge or stipend of or exceeding the sum of Fifteen pounds per annum.

And the said Governors are further authorised to make Grants to Cures to meet benefactions according to their rules, at their discretion, of a less sum than Two hundred pounds, in cases in which the declared object of benefactors is to provide a house for the residence of the Incumbent, such grants, however, to be in no case less than One hundred pounds.

That by the Ecclesiastical Dilapidations Act, 1871, the said Governors are authorised to receive and disburse, as in the said Act mentioned, all sums assessed in respect of dilapidations to the buildings of a benefice on the vacancy thereof.

That it has been found by the said Governors in practice that, in many cases the sums so assessed cannot be recovered from the late Incumbent, his heirs, executors or assigns, and that in the case of many poor livings, owing to the smallness of the yearly value fixed and certain or for other good and sufficient reasons, the Governors do not deem it expedient to advance the sum required to make good the dilapidations upon the security of the possessions of the benefice under the power in that behalf contained in the said Act, and that in consequence the said benefice remains vacant or the new Incumbent is unable to pay to the Governors the sum so assessed, or some part thereof, whereby the buildings of the benefice become greatly depreciated to the permanent injury of the value of the said benefice.

That the Governors are therefore desirous to obtain authority to appropriate in the case of benefices fitly qualified to be augmented under their Rules from time to time such sums as they may think fit, but not exceeding in the whole three grants of Two hundred pounds each in any one year out of the disposable moneys of the Royal Bounty Fund which may be in their hands in each year in meeting benefactions made with the declared object of supplying the sum so assessed for dilapidations or such part thereof as cannot be otherwise provided.

That in order to obtain such authority the said Governors have agreed upon and prepared the following rules and do humbly recommend and propose that we may be graciously pleased to approve and establish the same and to direct and command that the said Rules may be added to the Rules granted by Us and Our Royal Predecessors to the Governors, viz.:—

1. "That Grants may hereafter be made by the Governors to Benefices whether vacant or not fitly qualified to be augmented under their rules from time to time, for the purpose of supplying the sum stated in the order made by the Bishop upon the vacancy of a Benefice as the cost of the repairs to be executed to the buildings of the Benefice or any part thereof, to meet a benefaction for the same purpose of any amount equal to or greater than the Grant so made, and that any such Grant may be of any sum less than Two hundred pounds, provided that not more than three Grants of Two hundred pounds each shall be made to any one Benefice in any year, and that no such Grant shall be made unless the Governors shall be reasonably satisfied that the sum stated in the said order or such part thereof as is to be supplied by any proposed Grant and Benefaction cannot be recovered from the late Incumbent, his heirs, executors or administrators, and shall in their discretion deem it inexpedient to advance the same upon the security of the possessions of the Benefice."

2. "That any sum supplied by any such Grant and Benefaction as aforesaid, shall be dealt with in the same manner as moneys standing to the credit of a Dilapidation account, excepting that if any surplus thereof shall remain after satisfying the requirements of the Ecclesiastical Dilapidations Act, 1871, such surplus shall not be dealt with in the manner prescribed by Section 65 of the said Act, but shall be transferred to the augmentation account of the said Benefice."

And Whereas the said Governors have humbly prayed that We will approve, confirm and establish the Rules above stated under Our Royal Sign Manual if in Our Royal Wisdom We shall so think fit.

Know Ye that We have thought fit to approve, confirm and establish the said new Rules and do by these Presents approve, confirm and establish the same accordingly.

And We do direct and command that such Rules be added to the existing Rules granted by Us and Our Royal Predecessors to the said Governors.

Given at Our Court at Saint James's the Twentieth day of February, 1896, in the fifty-ninth year of Our Reign.

By Her Majesty's Command.

M. W. Ridley.
Royal

Royal Sign Manual 61st Victoria (4th February, 1898).

Victoria, by the Grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, To all to whom these Presents shall come, Greeting!

Whereas the Governors of the Bounty of Queen Anne for the Augmentation of the Maintenance of the Poor Clergy have, by their Petition, humbly represented unto Us

That We and Our Royal Predecessors have at several times, by Instruments under the Royal Sign Manual, exercised the power given by an Act of Parliament, passed in the first year of the reign of His Majesty King George the First, chapter 10, of approving and establishing Rules and Orders proposed by the Governors, and the Original Rules and Constitutions of the Corporation of the Governors have been thereby altered and varied, and certain New Rules and Orders have been established.

That the Governors at a recent Board Meeting unanimously resolved to approach Us for Our Royal Sanction to a slight modification of their Rules, to wit, instead of it being required that benefactions and grants (subject to the existing exceptions of Parsonage House and Dilapidation cases) should always consist, as to benefactions, of not less in money or value than 200*l.*, and as to Grants, of money sums of 200*l.*, that in future the Governors may receive for benefices benefactions of as little as 100*l.*, and may also make grants to benefices of sums of less than 200*l.*, but not less than 100*l.*

That if this slight modification of the principle of their Augmentation Rules be approved by Us, then the Governors would venture to recall the subsisting Rules under Royal Sign Manual Warrants, dated the 22nd day of March, 1824, the 3rd day of March, 1836, the 23rd day of February, 1838, the 14th day of March, 1845, the 4th day of February, 1856, and the 20th day of February, 1896, respectively, and to ask leave to consolidate them and to have been established by Us in manner and form following:

Augmentations of 200*l.* each without Benefactions.

Reference.

22nd March, 1824.—“That the said Governors shall proceed to augment, without lot, to the annual value of 50*l.*, all those cures which are fitly qualified, and do not exceed that value; and that so soon as all the said cures shall have been so augmented, they shall proceed to augment, by lot, those cures which are fitly qualified, and do not exceed 60*l.* per annum.”

Warrant granting an additional power to the Governors of }
Queen Anne's Bounty, and consolidating the Royal Sign }
Manual Warrants which already regulate the distribution }
of the Governors' surplus Funds.

3rd March, 1836.—“But nevertheless that the said Governors shall not be restricted by the Rule of Augmentations to meet Benefactions, from the exercise of the power of which they now have of augmenting, without lot, any such livings and cures, being fully qualified, as do not exceed 50*l.* per annum; and, by lot, any such livings and cures as do not exceed 60*l.* per annum, if the said Governors shall in any cases think fit so to augment such livings and cures respectively.”

Augmentations to Meet Benefactions.

3rd March, 1836.—“That the said Governors may appropriate, if they shall think fit, the whole or any part of the monies of which they may have the disposal in each year in respect of the Royal Bounty Fund, in grants of 200*l.* to livings and cures not exceeding the improved yearly value of 200*l.* fixed and certain, where any person or persons, in order to obtain the Bounty, will give a benefaction of 200*l.*, or a greater sum in money, or the value thereof in lands or tithes or a clear yearly rent-charge or annuity of 15*l.*”

23rd February, 1838.—“That henceforward it shall be lawful for the Governors, at their discretion and if they shall think it expedient, but not otherwise, to give in any one year to the same cure one or more than one sum, but not exceeding three sums of 200*l.* each, out of the Royal Bounty Fund, if such cure be fitly qualified and do not exceed the improved yearly value of 200*l.* in every or any case where any person or persons, in order to obtain the same, will, in respect of each such sum of 200*l.*, as aforesaid, give to the said cure a benefaction of 200*l.*, or a greater sum in money, or of lands or tithes, of the value of, or a greater value than 200*l.*, or of a rent charge or stipend of, or exceeding the sum of 15*l.* per annum, and whether each such benefaction shall consist partly of money, partly of land or tithes, and partly of a yearly rent-charge or stipend, or of any two of the said several kinds of benefaction, but so, nevertheless, that each such mixed benefaction be not in the whole less in value or amount than the sum of 200*l.*; and that for the purpose of ascertaining and fixing the total value of each such mixed benefaction, it shall be considered and computed that an annual rent-charge or stipend of 15*l.* is equal to a sum of 200*l.* in money, and to land and tithes, or any or either of them, of the value altogether or separately, as the case may be, of 200*l.*, and so in proportion for any less sum than 15*l.* of annual rent-charge or stipend.”

14th March, 1845.—“That the said Governors may make grants out of the monies which in each year may be at their disposal to meet benefactions by others, for the augmentation of cures qualified by their Rules to receive the same; and that the said Governors may, in their grants to meet benefactions, prefer such cases so qualified as aforesaid, out of all those for which in any year benefactions shall be offered, as shall in their judgment appear best entitled to be so augmented.”

4th February, 1856.—“That grants hereafter to be made by the Governors to cures, to meet benefactions, according to their Rules, may, at the discretion of the Governors, be of a less sum than 200*l.* in cases in which the declared object of benefactors is to provide a house for the residence of the Incumbent, such grants, however, to be in no case less than 100*l.*”

NEW RULE.—“That grants hereafter may, at the discretion of the Governors, be of a less sum than 200*l.*, but not less than 100*l.*, whether for building or endowment purposes, and be given to meet benefactions of not less than equal amount or value.”

Grants for Dilapidations.

20th February, 1896.—1. “That grants may hereafter be made by the Governors to benefices, whether vacant or not, fitly qualified to be augmented under their rules from time to time, for the purpose of supplying the sum stated in the order made by the Bishop upon the vacancy of a benefice, as the cost of the repairs to be executed to the buildings of the benefice, or any part thereof, to meet a benefaction for the same purpose of any amount equal to or greater than the grant so made, and that any such grant may be of any sum less than 200*l.*, provided that not more than three grants of 200*l.* each shall be made to any one benefice in any year, and that no such grant shall be made unless the Governors shall be reasonably satisfied that the sum stated in the said order, or such part thereof as is to be supplied by any proposed grant and benefaction, cannot be recovered from the late Incumbent, his heirs, executors or administrators, and shall, in their discretion, deem it inexpedient to advance the same upon the security of the possessions of the benefice.”

2. “That any sum supplied by any such grant and benefaction as aforesaid shall be dealt with in the same manner as monies standing to the credit of a Dilapidation Account, excepting that if any surplus thereof shall remain after satisfying the requirements of the Ecclesiastical Dilapidations Act, 1871, such surplus shall not be dealt with in the manner prescribed by Section 65 of the said Act, but shall be transferred to the Augmentation Account of the said benefice.”

And whereas the said Governors have humbly prayed that We will approve, confirm, establish and consolidate the Rules above stated, under Our Royal Sign Manual, if in Our Royal Wisdom We shall so think fit.

Know ye that We have thought fit to approve, confirm, establish and consolidate the Rules above stated, and do by these Presents approve, confirm, establish and consolidate the same accordingly.

Given at Our Court at St. James's, the Fourth day of February, 1898, in the Sixty-first year of Our Reign.

By Her Majesty's Command.

(Signed) *M. W. Ridley.*

APPENDIX C.

1900.

GENERAL COURTS :

January.—No meeting.
 February, Wednesday, 14th.
 March, Wednesday, 21st.
 April, Wednesday, 25th.
 May, Wednesday, 16th.
 June, Wednesday, 20th.

July, Wednesday, 18th.
 August, Wednesday, 1st.
 September and October, Recess.
 November, Wednesday, 14th.
 December, Wednesday, 12th.

Hour of Meeting, 2.45 p.m.

Committees :

The Committees precede the General Courts, viz. :—

- (1) Finance and Audit, at 1.30 p.m.
- (2) Standing and General Purposes, at 2 p.m.

Special Meetings—Tuesday, March 20th :

- (1) Annual Meeting of Finance and Audit Committee, at 12.30 p.m.
- (2) Standing and General Purposes Committee—Annual Meeting as to Benefactions and Grants, at 2 p.m.

3, Dean's Yard, Westminster, S.W.

By Order of the Board,
Joseph K. Aston, Secretary.

A General Court of the Governors will be held at 3, Dean's Yard, Westminster, on Wednesday next, the attendance is requested. at 2.45 p.m., at which the favour of your

Bounty Office, , 18 .

By Order,
Joseph K. Aston, Secretary.

The undermentioned Meetings of the Governors will be held at 3, Dean's Yard, Westminster, on Wednesday next, , viz. :—

- Finance and Audit Committee, at 1.30 p.m. ;
 Standing Committee, at 2 p.m. ;
 General Court, at 2.45 p.m. ;

at all of which the favour of your attendance is requested.

Bounty Office, , 18 .

By Order,
Joseph K. Aston, Secretary.

The undermentioned Meetings of the Governors will be held at 3, Dean's Yard, Westminster, on Wednesday next, , viz. :—

- Standing Committee, at 2 p.m. ;
 General Court, at 2.45 p.m. ;

at both of which the favour of your attendance is requested.

Bounty Office , 18 .

By Order,
Joseph K. Aston, Secretary.

Summons List of Governors.

Board, Standing and Finance Committee :

Bishop of London.	Lord Glanusk.
" " Winchester.	Right Honourable Sir R. W. Thompson
" " Chichester.	K.C.B.
" " Oxford.	Cyril Dodd, Esq., Q.C.
" " Southwell.	Charles Gould, Esq., Q.C.
" " Ely.	Alderman Sir J. W. Ellis, Bart.
" " St. Albans.	" Sir Joseph Savory, Bart., M.P.
Lord Clinton.	" Sir Walter Wilkin.
" Egerton of Tatton.	James Cropper, Esq.
" Ashcombe.	J. S. Gilliat, Esq., M.P.

Board and Standing Committee :

Bishop of Rochester and the Bishops on Rota for the day.

Board :

Archbishop of Canterbury.	Bishop of Norwich.
" " York.	" " Bath and Wells.
Bishop of Durham.	" " Hereford.
" " Gloucester.	" " Newcastle.
" " Llandaff.	" " Peterborough.
" " Ripon.	" " St. David's.
" " Lincoln.	" " Bristol.
" " Exeter.	" " Wakefield.
" " Salisbury.	" " Bangor.
" " Manchester.	" " Liverpool.
" " Chester.	The Dean of Chichester.
" " St. Asaph.	" Lord Mayor, Sword Bearer.
" " Worcester.	Sir Kenneth Muir Mackenzie, Q.C., K.C.B.
" " Truro.	Alderman Sir H. E. Knight.
" " Lichfield.	Sir W. J. R. Cotton.
" " Carlisle.	Mr. Alderman Vaughan Morgan.

APPENDIX D.

GOVERNORS present at Board Meetings for the Years 1897-1899, inclusive.

		1897.									
		13 January.	10 February.	17 March.	7 April.	19 May.	16 June.	14 July.	4 August.	3 November.	8 December.
Archbishops -	Canterbury	1	1	1	1	1	-	-	-	1	1
	York	-	-	-	-	-	-	-	-	-	-
Bishops -	London	1	1	1	1	1	1	-	-	1	1
	Durham	-	-	-	-	-	-	-	-	-	-
	Winchester	1	1	-	-	-	1	1	-	1	-
	Gloucester	-	-	-	-	-	-	-	-	-	-
	Chichester	-	1	-	-	-	-	-	-	-	-
	Llandaff	-	-	-	1	-	-	-	-	-	-
	Oxford	-	-	-	-	1	-	-	-	-	-
	Southwell	1	-	-	-	1	-	-	1	-	-
	Ripon	-	-	-	-	-	-	1	-	-	-
	Lincoln	-	-	-	-	-	-	-	-	-	-
	Exeter	-	-	-	-	-	-	-	-	-	-
	Salisbury	-	-	1	-	-	-	-	-	-	-
	Manchester	-	-	-	-	-	-	-	-	-	-
	Ely	-	1	-	-	-	-	-	-	-	-
	Chester	-	-	-	-	-	-	1	-	-	-
	St. Asaph	-	-	-	-	-	-	1	-	-	-
	St. Albans	-	-	1	-	-	-	1	1	-	1
	Worcester	-	1	-	-	-	-	-	-	-	-
	Truro	-	-	-	-	-	-	-	-	-	-
	Lichfield	1	-	-	-	1	-	-	-	-	-
	Carlisle	-	-	-	-	-	-	-	-	-	-
	Norwich	-	-	-	-	-	-	-	-	-	-
	Bath and Wells	-	-	-	-	-	-	-	-	-	-
	Hereford	-	-	-	-	-	-	-	-	-	-
	Rochester	-	-	-	-	-	-	-	-	-	1
	Newcastle	-	-	-	-	-	-	-	-	-	-
	Peterborough	-	-	1	-	-	-	-	-	-	1
	St. David's	-	-	-	-	-	-	-	-	-	-
	Bristol	-	-	-	-	-	-	-	-	-	-
	Wakefield	-	-	-	-	-	-	1	-	-	-
	Bangor	-	1	-	-	-	-	-	-	-	-
	Liverpool	-	-	-	-	-	-	-	-	-	-
Lay Governors	Lord Clinton	-	-	-	-	-	-	1	-	-	1
	Lord Ashcombe	1	1	1	1	1	-	1	1	1	1
	Lord Glasusk	-	-	-	-	1	-	-	-	-	-
	Right Hon. Sir J. P. Deane, Q.C., D.C.L.	-	-	-	-	1	-	1	-	-	-
	Right Hon. Sir R. W. Thompson, K.C.B.	-	1	-	1	1	1	1	1	-	-
	*H. W. Cripps, Esq., Q.C.	1	1	1	1	1	1	1	1	1	1
	Cyril Dodd, Esq., Q.C.	1	1	-	1	1	1	1	1	1	1
	Charles Gould, Esq., Q.C.	-	-	-	-	-	-	-	-	1	1
	Alderman Sir Joseph Savory, Bart., M.P.	1	1	1	1	-	1	1	-	1	1
	Alderman Sir H. E. Knight	-	-	-	-	-	-	-	-	-	1
	Alderman Sir Walter Wilkin	-	-	-	-	-	-	-	-	1	-
	Mr. Alderman W. Vaughan Morgan	-	1	-	-	-	-	-	-	-	-
	Mr. Alderman J. C. Bell	-	-	-	-	-	-	-	-	-	1
	Mr. Alderman Alliston	-	-	-	-	-	-	1	-	-	1
	Mr. Alderman S. Green	-	-	-	-	-	-	1	-	-	1
	Mr. Alderman T. Vevey Strong	-	-	-	-	-	-	-	-	-	-
	Mr. Alderman Smallman	-	-	-	-	-	-	-	-	-	-
	Sir W. J. R. Cotton	1	1	1	-	1	-	-	-	-	-
	J. S. Gilliat, Esq., M.P.	-	-	-	-	-	-	-	1	-	-
	James Cropper, Esq.	-	1	1	-	1	1	-	1	1	-
	*Sir Kenneth Muir Mackenzie, Q.C., K.C.B.	-	-	-	-	-	-	-	-	-	1
	TOTAL	10	15	10	8	13	7	15	8	10	15

APPENDIX D.

GOVERNORS present at Board Meetings for the Years 1897-1899, inclusive.

1898.									1899.									TOTALS.	TOTAL ATTENDANCES.
9 February.	16 March.	6 April.	18 May.	8 June.	13 July.	3 August.	9 November.	14 December.	8 February.	22 March.	12 April.	10 May.	7 June.	12 July.	2 August.	15 November.	13 December.		
1	1	-	1	1	1	-	1	1	-	1	1	-	-	-	-	1	-	17	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	1	2	
1	-	1	1	1	-	-	1	1	1	1	-	1	1	1	-	-	-	19	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
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GOVERNORS present at Standing and General Purposes Committee Meetings for the Years
1897-1899 inclusive.

		1897.									
		10 February.	16 March.	17 March.	7 April.	19 May.	16 June.	14 July.	4 August.	3 November.	8 December.
Archbishop	York	-	-	-	-	-	-	-	-	-	-
Bishops	London	1	-	1	1	1	1	-	-	1	1
	Winchester	-	-	-	-	-	1	-	-	1	-
	Chichester	1	-	-	-	-	-	-	-	-	-
	Oxford	-	-	-	-	1	-	-	-	-	-
	Southwell	-	-	-	-	1	-	-	1	-	-
	Ripon	-	-	-	-	-	-	1	-	-	-
	Exeter	-	-	-	-	-	-	-	-	-	-
	Salisbury	-	-	1	-	-	-	-	-	-	-
	Manchester	-	-	-	-	-	-	-	-	-	-
	Ely	1	-	-	-	-	-	-	-	-	-
	Chester	-	-	-	-	-	-	1	-	-	-
	St. Asaph	-	-	-	-	-	-	1	-	-	-
	St. Albans	-	-	1	-	-	-	1	1	-	1
	Truro	-	-	-	-	-	-	-	-	-	-
	Carlisle	-	-	-	-	-	-	-	-	-	-
	Bath and Wells	-	-	-	-	-	-	-	-	-	-
	Peterborough	-	-	-	-	-	-	-	-	-	1
	St. David's	-	-	-	-	-	-	-	-	-	-
	Bristol	-	-	-	-	-	-	-	-	-	-
	Wakefield	-	-	-	-	-	-	1	-	-	-
	Bangor	-	-	-	-	-	-	-	-	-	-
Lay Governors	Lord Clinton	-	-	-	-	-	-	1	-	-	1
	Lord Ashcombe	1	-	1	1	1	-	1	1	1	1
	Lord Glanusk	-	1	1	-	1	-	-	-	-	-
	Rt. Hon. Sir J. P. Deane, Q.C., D.C.L.	-	-	-	-	1	-	1	-	-	-
	Rt. Hon. Sir R. W. Thompson, K.C.B.	1	-	-	1	1	1	1	1	-	-
	H. W. Cripps, Esq., Q.C.	1	-	1	1	1	1	1	1	1	1
	Cyril Dodd, Esq., Q.C.	1	-	-	1	1	1	1	1	-	1
	Charles Gould, Esq., Q.C.	-	-	-	-	-	-	-	-	-	-
	Alderman Sir Joseph Savory, Bt., M.P.	1	-	-	1	1	1	1	-	1	1
	Alderman Sir H. E. Knight	-	-	-	-	-	-	-	-	-	1
	Alderman Sir Walter Wilkin	-	-	-	-	-	-	-	-	1	-
	Mr. Alderman W. Vaughan Morgan	1	-	-	-	-	-	-	-	-	-
	Mr. Alderman S. Green	-	-	-	-	-	-	1	-	-	1
	Mr. Alderman Alliston	-	-	-	-	-	-	1	-	-	-
	Sir W. J. R. Cotton	1	-	1	-	-	-	-	-	-	-
	J. S. Gilliat, Esq., M.P.	-	-	-	-	-	-	-	1	-	-
	James Cropper, Esq.	1	1	1	-	1	1	-	1	1	-
TOTAL		11	2	8	6	11	7	14	8	7	10

GOVERNORS present at Standing and General Purposes Committee Meetings for the Years
1897-1899 inclusive.

1898.										1899.										TOTALS.	TOTAL ATTENDANCES.
9 February.	15 March.	16 March.	6 April.	18 May.	8 June.	13 July.	3 August.	9 November.	14 December.	8 February.	21 March.	22 March.	12 April.	10 May.	7 June.	12 July.	2 August.	15 November.	13 December.		
-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	1	86 Bishops.
1	-	-	-	-	-	1	-	1	-	1	-	-	-	1	1	-	-	1	-	22	
-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	7	
-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	3	
-	-	-	-	-	-	-	-	1	-	-	-	-	-	1	-	-	-	1	-	5	
-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	1	-	4	
-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	3	
-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	1	
-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	1	-	-	3	
1	-	-	-	-	-	-	-	1	1	-	-	-	-	-	-	-	1	1	-	5	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	
-	1	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	1	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	1	11	
-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	1	-	1	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	2	
-	-	-	-	1	-	-	-	-	-	-	-	1	-	1	-	-	-	-	-	3	
-	-	-	-	1	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	2	
-	-	-	-	-	-	1	1	1	-	-	-	-	-	-	-	-	-	1	-	4	
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-	-	-	-	-	-	-	-	-	-	1	-	-	1	-	-	-	-	-	-	2	
-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	-	1	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	5	
1	-	1	-	1	1	1	1	1	1	-	-	1	1	1	1	1	1	1	1	24	
-	-	-	-	1	1	1	-	-	-	1	-	-	-	1	-	1	-	-	-	9	
1	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	4	
-	1	1	1	1	-	1	1	-	-	1	1	1	1	1	1	1	1	1	-	21	
1	1	-	1	1	-	1	-	1	-	1	1	1	1	-	-	-	-	-	-	19	
1	-	1	1	-	-	1	1	-	1	1	-	-	1	1	-	1	-	1	1	19	
-	-	-	1	1	-	-	-	1	-	1	-	-	-	-	1	-	-	1	-	6	
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	27	
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1	1	1	-	1	1	-	-	1	-	-	1	1	-	1	-	-	-	1	-	17	
10	4	7	6	13	7	12	6	11	8	11	5	9	9	11	7	8	5	15	5		167 Laymen.
																					253

Average Attendance 8.43.

GOVERNORS present at Finance and Audit Committee Meetings for the Years 1897-1899 inclusive.

		1897.									
		10 February.	16 March.	17 March.	7 April.	19 May.	16 June.	14 July.	4 August.	3 November.	8 December.
Archbishops -	Carterbury	1	-	-	-	-	-	-	-	-	-
	York	-	-	-	-	-	-	-	-	-	-
Bishops -	London	1	-	1	1	1	1	-	-	-	1
	Winchester	1	-	-	-	-	-	-	-	-	-
	Chichester	1	-	-	-	-	-	-	-	-	1
	Oxford	-	-	-	-	1	-	-	-	-	-
	Southwell	-	-	-	-	-	-	-	1	-	-
	Ripon	-	-	-	-	-	-	-	-	-	-
	Salisbury	-	-	1	-	-	-	-	-	-	-
	Manchester	-	-	-	-	-	-	-	-	-	-
	Ely	-	-	-	-	-	-	-	-	-	-
	St. Albans	-	-	-	-	-	-	-	-	-	-
	Bath and Wells	-	-	-	-	-	-	-	-	-	-
	Peterborough	-	-	-	-	-	-	-	-	-	1
	St. David's	-	-	-	-	-	-	-	-	-	-
Lay Governors	Lord Clinton	1	1	-	-	-	-	1	-	-	1
	Lord Ashcombe	1	-	1	1	1	-	1	1	1	1
	Lord Glanusk	-	1	1	-	1	-	-	-	-	-
	Rt. Hon. Sir J. P. Deane, Q.C., D.C.L.	-	-	-	-	1	-	1	-	-	-
	Rt. Hon. Sir R. W. Thompson, K.C.B.	1	-	-	1	1	1	1	1	-	-
	H. W. Cripps, Esq., Q.C.	1	-	1	1	1	1	1	1	1	1
	Cyril Dodd, Esq., Q.C.	1	-	-	1	1	1	1	1	-	1
	Charles Gould, Q.C.	-	-	-	-	-	-	-	-	-	-
	Alderman Sir Joseph Savory, Bart., M.P.	1	-	-	1	1	1	1	-	1	1
	Sir W. J. R. Cotton	-	-	1	-	-	-	-	-	-	-
	J. S. Gilliat, Esq., M.P.	-	-	-	-	-	-	-	-	-	-
	James Cropper, Esq.	1	1	1	-	1	1	-	1	1	-
TOTAL		11	3	7	6	10	6	7	6	4	8

The Investments Committee appointed by the Board of 13th December 1899, consists of:

Lord Ashcombe,

Sir Ralph Thompson K.C.B

J. S. Gilliat, Esq., M.P.

GOVERNORS present at Finance and Audit Committee Meetings for the Years 1897-1899
inclusive.

1898.											1899.											TOTALS.	TOTAL ATTENDANCES.
9 February.	15 March.	16 March.	6 April.	18 May.	8 June.	13 July.	29 July.	3 August.	9 November.	14 December.	8 February.	21 March.	22 March.	12 April.	26 April.	10 May.	7 June.	12 July.	2 August.	15 November.	13 December.		
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-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	4	
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-	-	1	1	1	-	1	1	1	-	-	1	1	1	1	1	1	1	1	1	1	-	22	
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1	-	1	1	-	-	1	-	1	1	1	1	-	-	1	1	1	-	1	-	1	1	21	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	1	
1	-	1	1	1	1	1	1	1	1	1	1	-	1	1	1	1	1	1	1	1	1	27	
-	-	-	-	-	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	3	
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	1	
1	1	1	-	1	1	-	-	-	1	-	-	1	1	-	-	1	-	-	-	-	-	16	
10	1	6	4	9	7	10	4	5	8	4	6	3	6	6	7	8	3	6	5	10	3		
																						199	

Average Attendance 6.22.

APPENDIX E.

GENERAL AGENDA OF QUEEN ANNE'S BOUNTY.

FINANCE AND AUDIT COMMITTEE, 25th April 1900.

Subjects for Consideration.	Decision of the Committee.		
1. Audited monthly account for March last.	1.		
2. Audited monthly report under banking rules.	2.		
3. ¹ / ₂ To recommend to the Board the limits within which the governors' bankers should honour drafts by the Treasurer and officials in the ensuing month of May.	3.		
Amounts suggested by the auditor for the ordinary purposes of the governors, exclusive of sums of outlay specially approved by separate minute :—			
Capital - - - - -	£. 25,000		
Income - - - - -	3,500		
4. Payment of the following Bills :—	4.		
Messrs. Vacher & Sons—	£. s. d. £. s. d. £. s. d.		
Printing - - - - -	96 18 6		
Discount 5 per cent. -	4 16 11	92 1 7	
Stationery - - - - -	71 11 7		
Discount 5 per cent. -	3 9 6	68 2 1	
Copying - - - - -	- - -	26 15 6	186 19 2
5. MORTGAGE.—The governors are asked to release from their security a small piece of land, which desires to give for the enlargement of the churchyard of	5.		
6. INVESTMENTS.—Ground Rents :—	6.		
(a) Report on properties submitted to the governors on 21st March, 1900.			
(b) Further properties offered.			
7. Audited statement of petty cash for March	7.		
	£. s. d. 17 14 2		
8. Statement by Secretary of official and residential incidental expenditure from 22nd March to this day	8.		
	£. s. d. 5 9 2		

SCHEDULE A.

Ground Rents.—Report on Parcels submitted on 21st March, 1900.

- Egham, High Street. 8 shops.
Ground rents, 86*l.* per annum; rack rents, 640*l.* Offer of 28 years (2,488*l.*) accepted and purchase proceeding.
- Balham, High Road. 5 houses
- Fenchurch Street, 8, Fenchurch Buildings

} Sold at higher prices than the governors' limits.

SCHEDULE B.
Ground Rents offered.

For Consideration.	Decision.
<p>1. Chiswick, Hartington Road. 3 houses. Ground rents, 58<i>l.</i> 6<i>s.</i> per annum. Rack rents, 315<i>l.</i> Unexpired term from 96 to 99 years. Price, 30 years' purchase. Report submitted.</p> <p>2. Muswell Hill, Muswell Road Villas. 12 houses. Ground rents, 125<i>l.</i> per annum. Rack rents, 840<i>l.</i> Unexpired term 98 years. Price, 28½ years' purchase. Report submitted.</p>	

AGENDA: GENERAL COURT, 25 April 1900.	Minutes of Proceedings.
<p>1. To approve and attest minutes of General Court held on the 21st March, 1900.</p> <p>2. To consider report of Finance and Audit Committee, held this day.</p> <p>3. To consider report of Standing Committee, held this day.</p> <p>4. Numerous letters have been received from incumbents respecting the governors' promised grants, some of thanks, others of regret that equal grants cannot be made this year.</p> <p style="text-align: center;">FREE GIFT FOR ACCEPTANCE.</p> <p>5. P.C. Far Forest, County of Worcester, Diocese of Hereford. — To accept from the incumbent (the Rev. G. F. Eyre) a small strip of land, adjoining the vicarage, and on to which it is proposed to take the drainage of the parsonage house.</p> <p style="text-align: center;">BENEFACTION FOR APPROVAL.</p> <p>6. V. Northampton, S. Matthew, County of Northampton, Diocese of Peterborough.—15,075 square feet of freehold land, adjoining the church, as a site for a parsonage house. Valued by the surveyor at 753<i>l.</i> 15<i>s.</i> Donor, the Patron, P. Phipps, Esq., of Rushton Hall, Kettering.</p> <p>6A. R. Knelston w. Llanddewi-in-Gower, County of Glamorgan, Diocese of S. David's.—51 perches of freehold land as a site for a parsonage, 400 yards from the church. Valued by the surveyor at 20<i>l.</i> Donor, Miss Talbot, of Penrice Castle.</p> <p style="text-align: center;">PROPOSED PURCHASES.</p> <p>7 V. Hellingly, County of Sussex, Diocese of Chichester.—2a. 1r. 15p. of freehold land adjoining the vicarage, necessary for its protection and hitherto rented by the incumbent. The owner proposes to sell the property, and has given the incumbent notice to determine his tenancy. He will sell to the benefice for 200<i>l.</i>, and, as he has reduced his price from 300<i>l.</i>, the governors are asked to dispense with a surveyor's valuation and a local commission. Funds in hand, 705<i>l.</i> 12<i>s.</i> 6<i>d.</i> tithe redemption money, and 67<i>l.</i> extraordinary tithe redemption money.</p> <p>8. V. Newton Reigny, County of Cumberland, Diocese of Carlisle.—The incumbent asks the governors to expend 349<i>l.</i>, capital of the benefice in their hands arising from benefaction and grants, in the redemption of a mortgage for 346<i>l.</i>, secured on certain glebe purchased for the benefice by the governors in 1766. The charge is a permanent one, created under Act of Parliament, and the interest is 4½ per cent.</p>	<p>1.</p> <p>2.</p> <p>3.</p> <p>4.</p> <p>5.</p> <p>6.</p> <p>6A.</p> <p>7.</p> <p>8.</p>

Agenda: General Court, 25 April 1900— <i>continued</i> .	Minutes of Proceedings.
<p>9. V. Ocker Hill, S. Mark, County of Stafford, Diocese of Lichfield.—A freehold house, known as Clifton House, and 743 square yards of land, as a parsonage, situate 150 yards from the church. Valued by the surveyor at 710<i>l.</i> in its present condition. He estimates that 400<i>l.</i> will be required to be spent on repairs. The local commissioners think the repairs will not be so costly. £650 is asked by the vendor. Funds to be derived, as to 475<i>l.</i> or thereabouts, from sale of old house, and balance from subscriptions.</p>	9.
<p>10. V. Skipton, Christchurch, County of York, Diocese of Ripon.—A plot of freehold land, containing 4,137 square yards, already fenced in, as a site for a parsonage house, situate in the parish, half a mile from the church. Valued by the surveyor at 800<i>l.</i> Vendor asks this price, but will make a gift to the benefice of 300<i>l.</i>, which it is proposed to offer to the Ecclesiastical Commissioners for England as a benefaction. Funds to be derived from proceeds of sale of old house (3,150<i>l.</i>), to be received in November next.</p>	10.
<p>11. V. Swinton, S. Peter, County of Lancaster, Diocese of Manchester.—A plot of freehold land, containing 2,811 square yards, as a site for a parsonage house, adjoining the church. There are some old buildings on the land which will be pulled down. The site has been approved by a public parish meeting, and at the value put upon it by the surveyor, 1,900<i>l.</i>, at which price the vendor will sell. Funds to be derived from proceeds of sale of old house, about 600<i>l.</i>, and subscriptions. The new house will be built entirely from subscriptions.</p>	11.
PROPOSED SALES.	
<p>12. V. Alford w. Rigsby, County and Diocese of Lincoln.—6a. 2r. 20p. of freehold land, part of a larger holding, situate in the parish, required by the urban district council for sewage works. Present rent, 18<i>l.</i> Valued by surveyor at 720<i>l.</i> 16<i>s.</i> 8<i>d.</i>, to which the purchasers will add 179<i>l.</i> 3<i>s.</i> 4<i>d.</i> for compulsory sale, &c., making 900<i>l.</i> Purchasers to pay all costs. Consideration postponed by Board of 14th February, 1900. Report of the governors' surveyor was submitted to the Board of 21st March, 1900, and the secretary was instructed to negotiate thereon. Further correspondence submitted.</p>	12.
<p>13. V. Bettws Garmon w. Waenfawr, County of Carnarvon, Diocese of Bangor.—Farm house and 10a. 1r. 24p. of freehold land, situate in the parish of Llanrug, 5 miles from the benefice. Let at 16<i>l.</i> per annum. Valued by the surveyor at 480<i>l.</i> J. E. Greaves, Esq., an adjoining owner, offers 850<i>l.</i> and costs.</p>	13.
<p>14. R. Castle Eden, County and Diocese of Durham.—Two cottages and stable, and 0a. 1r. 36p. of copyhold land, in the parish of Bishop Middleham, 12 miles from the benefice. Buildings old, but quite recently put in repair under the Dilapidations Act. Let at 15<i>l.</i> 10<i>s.</i> a year to Messrs. Foster, Limited, Brewers, and adjoining owners. Valued by the surveyor to an ordinary purchaser at 300<i>l.</i>—to Messrs. Foster at 450<i>l.</i> Messrs. Foster offer 480<i>l.</i> and all costs.</p>	14.
<p>15. V. Gwynfe, County of Carmarthen, Diocese of S. David's.—36½ acres of freehold land with small farm house, &c., with right of common, situate in the parish; at present unlet. Surveyor estimates net rental at 28<i>l.</i>, and selling value at 911<i>l.</i>, after deducting 15<i>l.</i> for necessary repairs. The incumbent is under a certificate of exoneration, dated 9th March, 1896. Several offers have been received. The highest is 1,350<i>l.</i>, from an adjoining owner, Mr. John Harries.</p>	15.
<p>16. V. Hale, County of Lancaster, Diocese of Liverpool.—A copyhold farm, containing 16a. 1r. 32½p., with house and outbuildings, situate at Farnworth, four miles from the benefice. Gross rent, 40<i>l.</i> Outgoings (tithe and quit rent), 3<i>l.</i> 12<i>s.</i> 8<i>d.</i> Net rent, 36<i>l.</i> 7<i>s.</i> 4<i>d.</i> Buildings old. Local Commissioners estimate assessable dilapidations at about 25<i>l.</i>, but incumbent is willing to add amount to be assessed on official inspection to purchase-money. Valued by surveyor at 1,320<i>l.</i>, which sum, with 5<i>l.</i> towards vendor's costs, was</p>	16.

Agenda : General Court, 25 April 1900—*continued*.

Minutes of Proceedings.

offered, after negotiation, by Mr. T. Shuttleworth, an adjoining owner. The Board of 21st March, 1900, postponed the matter, suggesting 1,500*l.* as the price to be asked. Further correspondence submitted.

17. V. Hawes, County of York, Diocese of Ripon.—47a. 2r. 19p., with small barn, customary freehold, situate in the parish of Crosby Garrett, 18 miles from the benefice. Rent, 27*l.* Valued by the surveyor at 928*l.*, but he does not advise a sale at less than 1,100*l.*, at which price bishop approves sale. Mr. Hallam, an adjoining owner, raised his offer from 800*l.* to 1,100*l.*, and costs, but this was declined by the Board, of 13th December, 1899. He further raised his offer to 1,150*l.* and costs. This offer came before the Board of 14th February, 1900, who postponed the matter. After further negotiation Mr. Hallam withdrew his offer. 17.
18. V. Oystermouth, County of Glamorgan, Diocese of St. David's.—Two farms, situate in the parish of Llanedly, County of Carmarthen, 15 miles from the benefice : 18.
1. Penygraig Farm, 34½ acres, with house and outbuildings, let at 25*l.* per annum gross, 22*l.* 10*s.* net. Valued by the surveyor, in its present state, at 550*l.*, and dilapidations recently assessed thereon at 79*l.* 0*s.* 3*d.*, which sum is in hand. Proposed sale by auction in two lots, when surveyor thinks 600*l.* to 700*l.* may be realised. Minerals to be reserved.
 2. Dingle Farm, 6½ acres, with cottage and outbuildings, let at 7*l.* 7*s.* per annum. Valued by the surveyor at 240*l.*; dilapidations recently assessed thereon at 19*l.* 17*s.* 6*d.*, which sum is in hand. Surveyor advises sale by auction, but the local Commissioners in this case advise an offer to the tenant, who recently rebuilt the cottage. Minerals to be reserved.
- Postponed by Board of 14th February, 1900. The following offers have been obtained by private negotiation :
- For (1), 1,000*l.*, to include minerals and all costs of conveyance. Proposed purchaser, Mr. D. Hughes, an adjoining owner.
- For (2), 250*l.* to include minerals, or 240*l.* without minerals. Proposed purchaser, Mr. Stephens, the tenant.
19. V. Priors Lee, County of Salop, Diocese of Lichfield.—12,259 acres, part of a farm, in the parish of Halesowen, 30 miles from the benefice. The whole valued by the surveyor at 1,438*l.* 4*s.* A sale of the larger part of the farm was approved by the Board of 15th November, 1899, at 1,100*l.* An offer of 350*l.* for the remainder was declined by the Board of 13th December, 1899. An offer of 400*l.* was declined by the Board of 14th February, 1900. A final offer of 500*l.* and costs is now made. 19.
20. V. Scammonden (or Deanhead), County of York, Diocese of Wakefield.—62a. 2r. 9p. of land in scattered pieces, with buildings, from 40 to 50 miles distant from the benefice. Unlet, but would let for 85*l.* or 90*l.* per annum, surrounded by land of Lord Hothfield. Valued by surveyor nominated by the incumbent, at 3,020*l.* The local commissioners think the land worth more. Two offers from Lord Hothfield have been declined, viz., 2,150*l.* by Board of 2nd August, 1899, and 3,200*l.* by Board of 15th November, 1899. A letter from the bishop's secretary was submitted to the Board of 13th December, 1899, who ordered a further report from a second surveyor. This was submitted to Board of 14th February, 1900, and the Secretary was instructed to proceed thereon. Further report is now submitted, and directions asked. 20.
21. V. Seathwaite, Holy Trinity, County of Lancaster, Diocese of Carlisle.—0a. 2r. 9p. of freehold land, an isolated part of a farm of 47a. 1r. 12p., situate in the parish of Sedbergh, over 50 miles from the benefice. Valued by surveyor at 100*l.*, and 10*s.* for timber. This sum is offered by the tenant, who will not pay the vendor's costs, but agrees to pay for the rest of the land for the next 14 years the full rent he now pays for the whole. 21.

Agenda : General Court, 25 April 1900— <i>continued</i> .	Minutes of Proceedings.
<p>MISCELLANEOUS.</p>	
<p>35. The secretary reports the receipt of the following free gifts since the Board of 21st March, 1900:—</p>	<p>35.</p>
<p>V. Bramhope, County of York, Diocese of Ripon.—</p> <p style="margin-left: 40px;">From anonymous donor, 25<i>l</i>. } From Miss Moore, 20<i>l</i>. - } specially for building.</p>	
<p>V. Hoylake, County and Diocese of Chester.—From Lord Stanley of Alderley, 300<i>l</i>. for endowment.</p>	
<p>V. Swinton, County of Lancaster, Diocese of Manchester.—150<i>l</i>. from executors of late incumbent specially for building.</p>	
<p>36. Application for leave to defer payment of several recent mortgage arrears.</p>	<p>36.</p>
<p>37. The usual sealing of deeds.</p>	<p>37.</p>

QUEEN ANNE'S BOUNTY, STANDING

LOANS—

NOTE.—It was agreed at the

- (1) To limit the outside amount to two years' net income of
 (2) To limit the period for repayment to 25 years in the case

Order.	Benefice.	Diocese.	Incumbent.	Date of Admission.	Age of Incumbent.	Net Income.	Curate's Stipend if Incumbent Non-resident.	Population.	Patron.	Few Rents, &c., included in Net Income.	Disputations received from former Incumbent.
						£.	£.			£. s. d.	£. s. d.
1	R. Asfordby -	Peterborough	J. C. W. Burnaby	1898	56	414	135	800	Rev. F. Hall -	-	-
2	R. Bingham -	Southwell -	P. H. Droosten -	1884	49	673	150	1,487	The Earl of Carnarvon.	-	-
3	R. Crofton -	Wakefield -	H. Brownrigg -	1900	33	345	135	824	The Duchy of Lancaster.	-	-
4	R. Pakefield -	Norwich -	L. Price -	1871	81	162	150	1,090	Church Patronage Society.	-	-
5	V. Ruabon -	S. Asaph -	E. N. M. Roderick	1897	40	330	150	2,671	The Bishop -	-	-
6	V. Tabley Over, S. Paul.	Chester -	A. Symonds -	1900	44	225	120	671	Colonel Brooke -	-	-
7	R. Wortham -	Norwich -	C. C. James -	1888	69	471	135	852	King's College, Cambridge.	-	-
7A	R. Shelton, Mark.	Lichfield -	E. D. Boothman -	1875	54	422	150	12,767	The Incumbent -	-	-

HOUSES OF RESIDENCE, &c.—PLANS FOR APPROVAL AND PROPOSED

Order.	Register No.	Benefice.	Diocese.	Incumbent.	Patron.	Date of Admission.	Age.	Net Income.
								£.
8	3,115	V. Barnstaple, S. Mary Magdalene.	Exeter -	E. J. Windsor -	The Crown and Bishop alternately.	1897	57	163
9	3,149	V. S. Biazey -	Truro -	W. C. Tuting -	W. S. G. Carlyon, Esq. -	1896	38	72
10	3,155	R. Garveston -	Norwich -	A. J. Alpe -	The Incumbent -	1899	45	143
11	3,151	V. Knelston w. Llanddewi-in-Gower.	S. David's -	J. Hughes -	The Bishop -	1899	64	160
12	3,110	V. Rhosmarket -	S. David's -	J. H. Davies -	The Lord Chancellor -	1898	44	123
13	3,042	V. Siltton Over -	York -	T. E. Parkinson -	Trinity College, Cambridge.	1892	42	30
14	3,119	V. Southfields, S. Michael and All Angels.	Rochester -	R. A. Dobsou -	Trustees -	1898	40	200
15	3,153	V. Wychbold -	Worcester -	R. Male -	J. Corbett, Esq. -	1888	73	142
15A	3,103	R. Cerne Up -	Salisbury -	C. M. Watling -	Col. Mount-Batten -	1887	45	110
15B	3,152	V. Ampney Crucis -	Gloucester -	T. C. Johnson -	F. W. B. Cripps, Esq. -	1899	45	90

HOUSES OF RESIDENCE, &c.—PLAN FOR APPROVAL AND PROPOSED EXPENDITURE—

Order.	Register No.	Benefice.	Diocese.	Incumbent.	Patron.	Date of Admission.	Age.	Net Income.
								£.
16	3,167	R. Cheddon Fitzpaine -	Bath and Wells -	R. P. Smith -	A. B. Warre, Esq. -	1899	49	350

COMMITTEE, 25 April, 1900.

GILBERT'S ACTS.

Meeting held 13th July, 1887 :—

the benefice, except in the case of a new house.
of a new house, and 15 years for alterations or improvements.

Object. Parsonage House and Offices, unless otherwise stated.	PARTICULARS OF ESTIMATE.				Loan.	From other Sources.	Remarks.	Governors' Decision.
	Works.	Dilapida- tions.	Repairs.	TOTAL.				
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.		
Drainage (68l.) and water supply (37l.) to farm buildings.	100 - -	—	—	100 - -	100 - -	—	Existing loan, 451l. 8s. 4d.	1
Water supply . . .	91 3 -	—	—	91 3 -	90 - -	1 3 -	The Incumbent, 1l. 8s.	2
Alterations and additions	707 15 8	—	—	707 15 8	690 - -	17 15 8	The Incumbent, 17l. 15s. 8d.	3
Hot water supply, 25l. Cold water service and new sanitary fittings, 22l.	48 - -	—	—	48 - -	48 - -	—	Trust capital in hand, 55l. 10s. 5d.	4
Water supply, 24l. . .	110 - -	—	—	110 - -	110 - -	—	—	5
Sanitary Improvements, 86l.	500 - -	—	—	500 - -	450 - -	50 - -	The Incumbent, 50l. . Trust capital in hand, 1,979l. 10s. 8d.	6
Alterations and additions	80 - -	—	—	80 - -	80 - -	—	Farm, 18 acres . . . Additional rent, 3l. 10s.	7
Farm buildings . . .	239 - -	—	—	239 - -	239 - -	—	—	7A
Bath-room and hot water supply.								

EXPENDITURE.—CLASS A. CAPITAL SPECIALLY APPLICABLE.

Popula- tion.	Object.	Cost of Works.	Amount now Applied for.	From other Sources.	Remarks.	Governors' Decision.
		£. s. d.	£. s. d.			
4,500	Additions to the house re- cently purchased.	428 17 -	216 17 -	Already approved, 210l.	—	8
1,700	Additions, improvements, and sanitary works.	200 - -	200 - -	—	—	9
322	Alterations and additions .	251 14 6	230 - -	The Incumbent, 21l. 14s. 6d.	—	10
292	Residence house . . .	1,494 - -	180 - -	The Ecclesiastical Commis- sioners, 1,200l. Subscriptions, 114l. Subject to benefaction and grant.	—	11
366	Alterations and additions .	541 7 6	490 - -	The Incumbent, 61l. 7s. 6d. . Subject to benefaction and grant.	The works are executed, but plans were approved by the Governors before they were commenced.	12
232	Completion of the residence house.	1,250 - -	250 - -	Already approved, 1,000l. . Subject to benefaction and grant.	—	13
4,000	Residence house . . .	2,415 - -	960 - -	The Ecclesiastical Commis- sioners, 1,455l.	—	14
1,219	Residence house, 1,940l. Stables, 238l. Fences and gates, 37l. 10s. Laying out grounds, 155l. Architect's charges, 110l.	2,478 10 -	960 - -	The Ecclesiastical Commis- sioners, 524l.	Trust capital in hand, 960l.	15
81	Alterations to the stables . Painting and papering the rectory house. Bells and grates.	255 - -	200 - -	—	456l. already expended on the residence house.	15A
480	Alteration and additions .	1,065 - -	250 - -	The Ecclesiastical Commis- sioners and others, 816l.	Subject to benefaction and grant.	15B

CLASS B. CAPITAL APPLICABLE WITH THE ASSENT OF THE GOVERNORS.

		£. s. d.	£. s. d.			
275	New drainage . . .	136 18 -	25 - -	The Incumbent, 111l. 18s.	Trust capital in hand, 25l.	16

APPLICATIONS FOR GRANTS TOWARDS DILAPIDATIONS

Order.	Register No.	Benefice.	Diocese.	Incumbent.	Date of Admission.	Age of Incumbent.	Net Income.	Curate's Stipend, if Incumbent Non-resident.	Population.
17	6,209	V. Morden - - -	Salisbury - - -	W. H. Cooke - -	1900	37	£. 150	£. 120	730
18	8,082	V. Wathe - - -	Lincoln - - -	A. Gedge - - -	1899	72	66	66	55
19	8,506	R. Wakerley - - -	Peterborough - -	A. Percival - -	1900	78	102	80	167

DILAPIDATIONS.—

Order	Register No.	Benefice.	Diocese.
20	12,989	V. Stepney, S. Thomas - - -	London - - - - -

UNDER SIGN MANUAL OF 20 FEBRUARY, 1896.

Patron.	Sum assessed for Dilapidations.	Sum recovered by Incumbent.	Benefaction offered.	Source of Benefaction.	Grant asked for	Observations.	Governors' Decision.
Mrs. E. Erle-Drax	£. s. d. 216 14 4	£. s. d. Nil	£. s. d. 116 14 4	Patron	£. s. d. 100 - -	Late Incumbent was, at the date of his death, an undischarged bankrupt. Incumbent unable to recover any part of sum assessed.	17
G. H. Caton Haigh, Esq., and others.	42 - -	Nil	21 - -	Incumbent, 10l. 10s. Contribution, 10l. 10s.	21 - -	Incumbent unable to recover any part of sum assessed.	18
Marquis of Exeter	224 12 -	Nil	112 6 -	Patron, 100l. Incumbent, 12l. 6s.	112 6 -	Late Incumbent was deprived of his benefices. He is without any means.	19

MISCELLANEOUS.

Payment reported as per Governors' Standing Order.	Governors' Decision.
To Rev. W. Muirhead, Incumbent, surplus of 9l. 14s. 6d. - - - - -	20

APPENDIX F.

REPORT of the Sub-Committee on Establishment.

THE Sub-Committee appointed by the Finance Committee of 16th May 1900 to consider a proposed addition to the establishment met again this day.

Present :—The Right Honourable Sir Ralph W. Thompson, K.C.B., in the Chair.

Charles Gould, Esq., Q.C., Alderman Sir Joseph Savory, Bart., M.P.

The Committee had before them their report of the 20th May 1900 which was referred back to them by the Finance Committee of the 20th June 1900 with the instruction to consider all the questions involved therein.

The Committee have carefully considered (1) The number, ages, length of service and duties of the present staff (2) The scale of salaries at present in force (3) The holidays allowed to the staff (4) The office hours (5) The method of appointing new clerks (6) The regulations as to promotion (7) A memorial from the messenger (W. Arundel) as to increase of salary.

The Committee unanimously report as follows :—

(1) As to the number of clerks :

That having regard to the continued increase in the Governors' business the class of Junior Clerks (Lower Division) be at once increased by four, and that the places so created be filled by the appointment of four clerks who have served in the office with diligence and ability for periods of from five to three and a-half years, viz. :—L. W. Perry, W. J. Gimson, B. Butler-Stoney and G. C. Baird. They also recommended that the vacancy in this class created by the resignation of T. W. Huxtable should be filled at an early date.

The Committee do not recommend any present alteration in the number or position of the other classes of clerks, which they consider satisfactory.

(2) As to the scale of salaries :

The Committee have referred to the scale of salaries adopted by the Board of the 26th June 1895 on the Report of a special Committee appointed to consider the question, and endorse the scale then adopted.

(3) The Committee recommend that for all clerks hereafter appointed (including the four supernumeraries recommended by this report) the scale of holidays shall be the same as that in force in the Civil Service, viz. :

For senior clerks (including the Assistant Solicitor and the Architect and Surveyor) not to exceed 36 week days during each of their first ten years of service and 48 week days thereafter.

For junior clerks, not to exceed 14 week days during each of their first five years of service and 21 days thereafter.

Exclusive in both cases of Christmas Day, Good Friday, The Queen's Birthday and (subject to the convenience of the Governors' business) the four Bank Holidays.

Provided that nothing in this clause shall affect the rights of existing clerks, who by the regulations under which they were appointed are entitled to holidays in excess of those herein prescribed.

That the service of supernumeraries at present serving shall, if they are appointed clerks, be taken into account in estimating their number of years' service for the purpose of holidays.

That the holidays of supernumeraries shall be such period not exceeding 14 days (exclusive as aforesaid) as the convenience of the Governors' business will allow.

(4) Your Committee find that though the office hours are nominally 10 to 4 on five days in the week and 10 to 2 on Saturdays throughout the year, a careful analysis of the attendance book for the year from the 1st April 1899 to the 31st March 1900 shows that on the average more than half an hour's extra work has been done by each clerk on every working day throughout the year, and nearly one and a-half hours by each supernumerary, for which no extra payment is allowed, your Committee consider that the work of the office is willingly and efficiently carried out, and that it is of advantage that (in lieu of fixed longer hours) extra hours of work should be given when necessary without extra pay.

They recommend that no alteration be made in the present hours, but that the clerks shall be expected (as they have heretofore done) to give without extra payment such additional hours of work as may from time to time be required to efficiently carry on the ordinary business of the Governors.

(5) Your Committee find that the power to appoint all clerks and officials other than the Secretary and Treasurer is vested in the Governors acting by a majority of a General Court, and that by the 1st Charter it is provided that clerks so appointed shall hold office during the pleasure of the Governors.

They recommend that all future candidates for appointments as junior clerks or supernumeraries shall be required to show that they have passed an examination equivalent in the opinion of the Governors to the examination for junior clerkships and boy clerkships respectively in the Civil Service.

(6) They recommend that all promotions from one class to another shall be by selection, due regard being paid to seniority.

(7) They defer for the present the question of increased salary to the messenger.

Appended to this Report will be found a list of the staff, with their ages, number of years' service, and present rate of pay.

(signed) *Ralph Thompson,*
Charles Gould,
Joseph Savory.

Note.—This Report has since been confirmed by the Finance Committee and the General Court.

27 July 1900.

W. R. Le Fanu, Chief Clerk.

STAFF.

Names.	Class and Scale.	Age.	Years' Service.	Present Salary.
W. R. Le Fanu	Chief Clerk, 600 <i>l.</i> —700 <i>l.</i>	30	6½	£. 600
G. F. Aston	Senior Clerk, 350 <i>l.</i> —450 <i>l.</i>	68	41	450
W. V. Prior		61	45	450
W. Lipscomb		43	31	450
G. F. Howell		59	23	450
G. Simpson		44	28	400
W. A. Hughes	Architect and Surveyor, 350 <i>l.</i> —450 <i>l.</i>	41	19	400
F. G. Hughes	Solicitor	35	5	500
H. Groves	Junior Clerks (Upper Division), 250 <i>l.</i> —350 <i>l.</i>	45	21	330
J. F. Sapsford		42	22	320
E. Keene		41	21	300
V. G. Bromhead		44	21	300
R. G. Rowland	Junior Clerks (Lower Division), 80 <i>l.</i> —200 <i>l.</i>	30	14	180
E. Jump		28	12	170
M. S. Rogers		33	9	160
W. G. Hannah		32	9	160
W. Russell		28	9	160
D. F. Smeaton		31	9	160
W. Holford		26	10	130
W. J. P. Smith		27	9	(5 as Supernumerary). 130
A. G. Spencer		26	9	(4 as Supernumerary). 130
S. D. Knight		27	6½	(4 as Supernumerary). 130
J. H. Hurdman	24	9	(1 as Supernumerary). 110	
W. E. Weedon	Typewriter, 25 <i>s.</i> to 35 <i>s.</i> per week	29	10	(6 as Supernumerary). 31 <i>s.</i> a week.
W. Arundel	Messenger 70 <i>l.</i> and uniform	39	5	70 <i>l.</i> and uniform.
L. W. Perry	Supernumeraries, 10 <i>s.</i> to 1 <i>l.</i> per week.	22	5	1 <i>l.</i> a week.
W. J. Gimson		21	4	1 <i>l.</i> a week.
B. Batler-Stoney		21	4	1 <i>l.</i> a week.
G. C. Baird		21	3	17 <i>s.</i> a week.
K. E. Darby		17	3	14 <i>s.</i> a week.
C. F. Baugust		20	2	16 <i>s.</i> a week.
J. Habart		18	2	13 <i>s.</i> a week.
J. Weekes		18	2	13 <i>s.</i> a week.
F. E. Willott		17	1½	13 <i>s.</i> a week.
F. J. Croucher		15½	—½	10 <i>s.</i> a week.

APPENDIX G.

ACCOUNTS AND FORMS OF INSTRUCTION.

Amount received by the Governors of Queen Anne's Bounty for Dilapidations from the commencement of the Act 34 & 35 Vict., c. 43, to 31st December 1899.

Year.	£.	s.	d.	Year.	£.	s.	d.
1871	59	5	9	1887	62,950	3	6
1872	44,175	9	8	1888	63,011	6	4
1873	80,933	8	5	1889	57,220	18	9
1874	78,942	19	6	1890	54,270	18	2
1875	93,871	16	10	1891	57,522	8	5
1876	88,775	1	10	1892	67,031	5	11
1877	81,645	-	11	1893	64,750	16	2
1878	70,795	13	2	1894	55,291	8	11
1879	74,696	-	5	1895	63,971	6	7
1880	70,696	7	9	1896	60,160	4	2
1881	73,694	12	9	1897	62,275	2	5
1882	65,467	3	8	1898	59,017	7	1
1883	62,900	17	11	1899	58,025	12	4
1884	66,885	17	9				
1885	62,214	5	3				
1886	60,775	7	11	Total £.	1,862,028	8	3

The balance in hand on 31st December 1899 was 36,470*l.* 7*s.* 10*d.* money and 16,803*l.* 15*s.* 4*d.* Consolidated 2½ per cent. Stock.

During the above period the total number of benefices dealt with by the governors under the Act was 11,667, in respect of which 21,275 assessments for dilapidations were made.

DILAPIDATIONS.

Grants made by the governors to meet benefactions in order to provide irrecoverable Dilapidation Moneys, under Royal Sign Manual of 20th February 1896.

	£.	s.	d.
In 1896 to 11 benefices	866	5	10
„ 1897 „ 17 ditto	988	14	8
„ 1898 „ 14 ditto	913	1	3
„ 1899 „ 15 ditto	967	-	-
Total Grants to end of 1899 to 57 benefices	3,735	1	9
Grants already made in 1900 „ 11 ditto	920	-	4
Total Grants to 68 ditto	£. 4,655	2	1

DILAPIDATIONS LOANS.

Bounty Office, Westminster, S.W.,

Rev. Sir,

The governors are empowered, if they think fit, to advance to incumbents sums of money, repayable by yearly instalments, with interest, for repairs under the Ecclesiastical Dilapidations Acts. Loans under these Acts are based upon the report of the diocesan surveyor.

The amount of the diocesan surveyor's charges, the fees of the bishop's secretary and registrar, may be added to and paid out of the loan. No charge is made for the preparation of the mortgage by the governors' solicitor.

The rate of interest is 4 per cent. The term of the loan, always for a short period, is determined the governors at the time the application is considered.

The consent of the bishop and patron is required to the loan.

To enable an incumbent to borrow, the income of his benefice must be sufficient to pay the annual interest and instalment, as well as the curate's stipend in case of non-residence.

In cases where the income of the benefice consists principally of pew rents, it is required that the patron, or three of the parishioners, should give a bond as a collateral security for the due payment of the annual interest and instalment.

Applications for loans must be made on forms supplied by this office.

Yours, &c.

(signed) *Joseph K. Aston,*
Secretary and Treasurer.

No. _____

[To be sworn before a Justice of the Peace or Commissioner to administer Oaths
in the Supreme Court of Judicature in England.]

THE REVEREND _____ of the _____
of _____ in the county of _____
and diocese of _____ maketh Oath and saith that the said _____
is not under sequestration, and that he has not granted any annuity, or created any other charge or
incumbrance whatsoever thereon [except

]

And also maketh Oath and saith that the following is a just and particular account of the annual
profits of the said _____ and of the rents, stipends, and other outgoings, payable
in respect of the same, that is to say—

(Tithe Rent Charge as commuted, £ „ „)

£. s. d.

INCOMINGS.

Tithe Rent Charge (according to statutory average for the
present year) - - - - -
Rent of lands to let - - - - -
Glebe land in hand (exclusive of house and curtilage)—
Value according to parochial assessment - - - - -
Fees - - - - -
Grants from _____

From other sources

{

TOTAL INCOMINGS £.

OUTGOINGS.

£. s. d.

Land Tax - - - - -
Tenths - - - - -
Synodals - - - - -
Rent Charge (if any) - - - - -
Poor and other rates - - - - -
Repairs, estimated average - - - - -
Fire insurance - - - - -
Pension to late incumbent (if any) -

Any other Permanent
Outgoings and
Charges.

{

TOTAL OUTGOINGS £.

Sworn at _____
in the county of _____
the _____ day of _____ 18
by the Reverend _____
and signed before me.

(Name) _____

(Title) _____

NET PRODUCE £.

Incumbent's
Signature) _____

No. _____

QUERIES to be answered by the Incumbent of a Benefice on application to the Governors of QUEEN ANNE'S BOUNTY for a Loan under the provisions of "The Ecclesiastical Dilapidations Act, 1871."

Sections of the Act to which the Query refers.	QUERIES.	ANSWERS.
	What is the name of your benefice ?	
	In what county and diocese ?	
3	Is it a rectory, vicarage, or what else ?	
17, 38, 63	Has your bishop given his consent to your asking for a loan ?	
3	Who is the patron of your benefice ?	
17	If more than one state them all, and say which of them would be entitled to present or nominate if the benefice were now vacant ?	
38	Has he or have they given his or their consent to the proposed mortgage ?	
63	Give the patron's address.	
63	Is your benefice subject to any special payment— To the minister of any church or chapel ? To pay off a mortgage ? To any other incumbrance ? If so, state the particulars.	
	What is the population of your benefice according to the last census ?	
	What was the date of your admission to your benefice ?	
	What was your age last birthday ?	
13, 20	Is your benefice under sequestration ?	
	State the amount you have expended in repairs during each of the last five years, if you have been incumbent during that time.	
	Name the diocesan surveyor on whose report as to the state of the buildings of your benefice you apply for a loan— Give his address.	
29	Was the inspection made because the benefice was vacant ?	
12	Or on your own request ?	
12	Or on complaint—If so, who made the complaint ?	
16, 32	Was the report objected to ? If so, by whom ?	
16	If the inspection were made on request or on complaint, a copy of the "final report" should be forwarded to the secretary of Queen Anne's Bounty with these queries.	
19	What time has the bishop fixed for the execution of the repairs ?	
17, 38	How much of the sum stated in the "final report" or "order" do you now ask the governors to lend ?	
42	If only a part of the whole sum estimated by the surveyor be needed, state which of the specified works are not now to be executed, and why not ?	
50	Has the bishop authorised the postponement of any part of the work ? and has he in consequence, required you to pay to the governors any sum ? If so, state the sum, and when payable.	
71		
52		
17 (2)	State the amount of costs and charges for the inspection, reports, &c., and how much is due—	£. s. d.
38 (2)	To the surveyor ?	
	To the registrar of the diocese ?	
	To the bishop's secretary ?	
16, 32	For the "second report," if any, if you are made liable to its cost ?	
	— Legal opinion, if you are made liable to its cost ?	
	Do you now ask the governors to lend you the amount of these expenses ?	
	TOTAL Costs and Expenses £.	

Section of the Act to which the Query refers.	QUERIES.	ANSWERS.
	What is the whole amount you ask the Governors to lend? viz.—for works £. for costs £.	
	If you were appointed prior to the date of the Dilapidation Act (1st August 1871)—	
	Did you receive any dilapidation money, if so, how much; and state if it has been duly expended.	
	If nothing received, state the reason why.	
29	If you were appointed after the date of the Dilapidation Act (1st August 1871)—	
36	Have you received any part of the sum due from the late Incumbent?	
40	If so, how much?	
37	Have you paid the same to the governors?	
	What sum have you paid to the governors to the credit of your benefice?	
	If none or only part received, state the reason why?	
36	Have you taken any legal steps to recover the sum due?	
	N.B.—Should the whole or portion of the sum assessed be irrecoverable from your predecessor or his estate, then a letter from the solicitors to the bankrupt's estate must be produced as evidence of the fact.	
41	Has the bishop enlarged the period for payment?	
54	Are the buildings belonging to your benefice insured against damage by fire?	
	If only some of them, state which, and for what amount, and in what office, and for what annual premium.	
55	What is the date of the policy, and is it effected in the joint names of the incumbent and the governors as directed by the Act?	
4	Are any of the buildings belonging to your benefice let on lease? If so, which?	
58	Is the lessee bound to insure, rebuild, or repair the same?	
	State the name and address of the lessee, the rent he pays, the date of the lease, and of its expiration.	
59	In whose custody is the counterpart of the lease?	
	Has your predecessor retired under the Incumbents' Resignation Acts?	
	If so, what is the amount of pension awarded?	
	Are there any other circumstances relevant to the case which, in your opinion, may give weight to your application to the governors for a loan?	
	If so, please to state them.	
	Is there any probability of your vacating the benefice?	

Having regard to the Benefices Act, 1898, the following additional queries should be answered in all cases where the Patronage is vested in Private Persons or in Trustees.

QUERIES.	ANSWERS.
When did the patron of the benefice acquire the patronage? If after the 31st December 1898, state whether he acquired it by deed, will, or how otherwise.	

} Incumbent's
Name and Address
in Full.

Date.

SUMMARY of Annexations of Lands &c., made to Poor Benefices by the Governors of Queen Anne's Bounty.

	£	s.	d.	£	s.	d.
To the 31st December 1867, as per Return in Parliamentary Paper, 439 of 1868, p. 86.	—			2,808,860	19	5
For the 4 years ended 31st December 1871 - -	123,279	1	6			
" 7 " " 1878 - -	133,461	14	7			
" 7 " " 1885 - -	130,555	14	4			
" 7 " " 1892 - -	118,961	5	5			
" 7 " " 1899 - -	113,678	10	-			
				619,936	5	10
	£			3,428,797	5	3

INSTRUCTIONS as to the Purchase of Land, Houses, Tithe Rent Charges, &c., by the Governors of Queen Anne's Bounty, with Moneys belonging to Benefices.

The Governors of Queen Anne's Bounty are empowered to lay out the funds held in trust by them for a Benefice in the purchase of land, houses, tithe rent charges, &c., on their being satisfied that the property which it is proposed to purchase is, from its situation and other circumstances, a desirable acquisition.

The following instructions are to be observed by an Incumbent desiring to make such a purchase for his Benefice.

Land and Houses.

Surveyor to be approved by Bishop and Governors of Queen Anne's Bounty.

If the estate proposed for purchase consists of land or houses, it is necessary, first of all, to select a Surveyor, whose name is to be submitted to the Bishop for approval. [See Form of Approval set forth on page 108.] The Bishop's written approval is then to be forwarded to this office, that the Governors may be also asked to sanction the employment of the Surveyor so nominated.

The Governors' approval of the Surveyor having been obtained, he is to be directed to make a Plan, Report, and Valuation, according to the Instructions given on page 101.

Commission of Enquiry.

The Incumbent should forward the Plan, Report, and Valuation to this Office, together with the names of three beneficed Clergymen of the Diocese in which the Benefice is situated (one of them being the Rural Dean), and of three laymen of character in the neighbourhood, to be proposed to the Bishop as Commissioners, to enquire as to the expediency of the proposed purchase.

On receipt of these papers, a Commission of Enquiry will be issued, and the Report of the Commissioners will be duly laid before the Governors.

Tithe Rent Charges.

If the Estate proposed for purchase consists of Tithe Rent Charges, it is necessary that the Incumbent should supply the Secretary with :—

1. A complete copy from the Tithe Award of the several Tithe Rent Charges as commuted.
2. A statement of the present amount of the same, according to the last average.
3. A modern description of the lands out of which they severally issue, showing where, and at what distance they are situate from the Benefice for which the purchase is proposed.
4. The amount of Taxes, Rates, and other outgoings, for collection, &c., now payable in respect thereof.
5. Any other matters which may appear to be necessary.

General.

Abstract of Title.

Should the purchase be approved (but not before), an Abstract of the Title must be forwarded to the Solicitor of the Governors, at the Bounty Office.

Law Costs.

The out of pocket expenses in connection with the examination of the Title and the conveyance are paid out of the money appropriated to the Living; but if there be not sufficient money to pay the whole of such expenses, the Governors require the deficiency to be paid by the Incumbent, who, if the purchase be approved, will be required to give an undertaking to this effect. It is not possible to state exactly what these out of pocket expenses may amount to, as they must depend upon the length of the Abstract of the Vendor's Title, the Stamp Duties which may be payable, and the amount of the charges for the enrolment of the purchase deed. No law costs beyond the above out of pocket expenses are charged either to the Living or to the Incumbent.

Besides the above out of pocket expenses, the Incumbent must be primarily responsible Surveyor's Costs. for the costs, charges, and expenses of the Surveyor; but if the purchase should be approved and carried to completion, the Governors will be prepared to allow the same (provided they do not exceed the scale set forth on page) out of the funds belonging to the Living, if, or so far as such funds suffice for the purpose, after payment of the out of pocket expenses above mentioned.

Incumbents are advised by the Governors not to negotiate for a purchase, unless they have good reason to believe that the Estate, at the price asked, is likely to be approved of by them; and also that the Title is free from objection; and no contract should be entered into without previous communication with the Secretary. The Governors generally decline to purchase, if the buildings are out of repair, if the land is not well fenced and in good cultivation, or if it is not within the parish of the Benefice for which it is proposed to be purchased, or in an adjoining parish.

By Order of the Board,

Bounty Office,
Dean's Yard, Westminster, S.W.

Joseph K. Aston,
Secretary.

INSTRUCTIONS for the Surveyor.

The Surveyor is to look to the Incumbent, and not to the Governors, for payment of his charges and expenses; he is to have no legal claim on the Governors.

1.—As to Land.

He is to make (1) an accurate Plan; (2) a Report giving a description of the situation, whether in the parish or in an adjoining one, or in what other parish, the quantity and quality of the property, and its condition as to cultivation, and repair of buildings (if any) and fences; and (3) a Valuation stating the tenure and yearly value of the estate, its outgoings, and the number of years' purchase it is worth, distinguishing where necessary, between buildings and lands; also the value of the timber, and whether there are any mines, minerals, or quarries, and if so, the value thereof.

The Surveyor is also to give his opinion whether the proposed Purchase will be beneficial to the Living, and his reasons for such opinion.

The Surveyor should specify the number of each field, as marked on the Tithe Commutation Map (if any) of the Parish, or on the Ordnance Survey.

2.—As to Houses.

If the purchase is of a House for the Incumbent's Residence, the following papers should be supplied:—

Certificate.—As to the state and condition of the buildings; and a descriptive Report of the House, Offices, Stabling, and Land (if any) proposed to be purchased.

	£.	s.	d.
Valuation.—Land superficial (feet or yards or acres)			
Residence with attached Offices, containing			
cubical feet			
Stabling, or other detached Offices, containing			
cubical feet			
Fencing or enclosing Walls			
	£.		
	£.	s.	d.
Deduct value of substantial Repairs			
(if any required)			
Deduct value of Internal Papering			
or Painting (if any required)			
Net value of land, buildings, and enclosures ...	£.		

Plans.—Which should be drawn to a scale of one eighth of an inch to a foot, and should not exceed in size 18 by 12 inches, are to be on tracing cloth, and should show two Elevations of the House, Plans of the several Floors, and of the Offices, with dimensions of all rooms. Also a General Block Plan (with the point of the compass marked thereon), showing the position of the House, entrance gates, and approach roads; with a description of the soil, whether gravel, loam, clay, rock, or chalk. The Block Plan should show sufficient of the adjoining properties to enable the site to be clearly identified.

Note.—The Surveyor's Plans, &c., cannot be returned after being lodged in the Bounty Office.

Scale of Charges, Recommended by the Governors, for the Payment of Surveyors.

For Survey and Valuation, and preparation of a Plan, including travelling and other expenses:

For the first £500	Fee Simple value	...	...	...	£1 per cent.
For the next £500	ditto	...	...	...	15s. "
For the next £1,000	ditto	...	...	...	10s. "
For the remainder	...	...	...	...	5s. "

Form of the Bishop's Approval of the Surveyor.

I, _____ Lord _____ Bishop
of _____ do hereby signify my approbation
of _____ of _____
in the County of _____ Land Surveyor, to survey and
value an estate, situate at _____ in the
County of _____ which it is proposed to purchase
for the Living of _____ in the County of _____

Given under my hand this _____ within my Diocese. _____ day of _____ 18____
[Signature]

SUMMARY of Account of all Monies lent by the Governors of Queen Anne's Bounty on Mortgage of Benefice, &c., under the Act, 17 Geo. 3, c. 53, commonly called "Gilbert's Act," and the several Acts to amend the same, &c.

	To Incumbents of Benefices.			To Dignitaries.			Total.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
From the year 1811 to the 31st December 1867, as per Parliamentary Paper 439 Session 1868, page 87.							2,660,995	5	3
For the 4 years ended 31st December 1871	328,597	—	—	15,947	—	—			
" 7 " " " 1878	543,962	5	—	15,349	—	—			
" 7 " " " 1885	339,451	3	—	12,910	—	—			
" 7 " " " 1892	112,627	8	2	15,721	—	—			
" 7 " " " 1899	82,979	15	—	17,744	—	—			
	1,407,617	11	2	77,671	—	—	1,485,288	11	2
							£.	4,146,283	16 5

SUMMARY of Account of all Monies lent by the Governors of Queen Anne's Bounty on Mortgage of Benefices under the "Ecclesiastical Dilapidations Acts," 34 & 35 Vict. c. 43, from the commencement of the Act in 1871 to the 31st December 1899.

	£.	s.	d.
For the 1 year ended 31st December 1871	—	—	—
" 7 years " " 1878	49,866	9	6
" 7 " " " 1885	27,560	11	—
" 7 " " " 1892	15,323	15	2
" 7 " " " 1899	19,439	11	6
	£.	112,190	7 2

Rev. Sir,

Bounty Office, Westminster, S.W.

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GILBERT'S ACTS LOANS.

The Governors of Queen Anne's Bounty are empowered to advance to incumbents sums of money, repayable by yearly instalments, with interest, for one or more of the following purposes, viz. :—

1. Purchasing house and land for the residence of an incumbent, or site for residence house, or purchasing any land or hereditaments, not exceeding 12 acres,

contiguous to the residence house or glebe, and desirable for use or occupation therewith.

2. Building, re-building, enlarging, altering, &c., residence house and offices, or for offices, stables, out-buildings, or fences necessary for the occupation or protection of such parsonage.

3. Restoring, re-building, or repairing the fabric of the chancel of a church (where the incumbent is liable to repair or sustain the fabric of such chancel). Loans for these purposes are not allowed unless the fabric of the church is in good preservation, or is about to be restored.

4. Building, improving, enlarging, or purchasing any farm house, or farm buildings, or labourers' dwelling houses, desirable for any farm or lands belonging to a benefice.

5. Water supply and sanitary improvements to residence house.

The charges and expenses of the architect or surveyor, and the costs and expenses of and incidental to the mortgage and purchase, may be added to, and paid out of the loan. Costs and Expenses.

The bishop's secretary will be entitled to a fee of one guinea, when a commission is issued as to dilapidations. The fees of the registrar will amount to 12s.

No costs are charged in connection with the preparation of the mortgage by the governors' solicitor.

The rate of interest has been fixed at 4 per cent. The length of the term for which loans are made is determined by the governors at the time the applications are considered. The outside limits, except in the case of a new house, is to the extent of two years' net income of the benefice; and the repayment, to 25 years for a new house, and 15 years for alterations, additions, or improvements. Rate of Interest.
Term of Loan.

It will be necessary that I should be furnished with the name of the patron of your living; also of a gentleman who will become the nominee to receive and lay out the money to be raised; and of some other person, who will join him in a bond in double the amount of the loan, as surety for his duly laying out the same. The duties of a nominee will be seen on reference to the 4th sec. of 17 Geo. 3, c. 53. When there are buildings of any kind upon the glebe, I must be furnished with the names of two neighbouring benefited clergymen of the diocese, with the names of their benefices, to be proposed to the bishop as commissioners for making inquiries respecting dilapidations, as required by 17 Geo. 3, c. 53, sec. 5, unless you have within the last five years obtained a certificate covering all the buildings of the benefice, under Section 46 of the Ecclesiastical Dilapidations Act, 1871. Information to be supplied.

If your application is to enable you to erect an entirely new residence house, you should also state to me upon what site you propose to build; whether upon a part of the glebe, or upon land not at present belonging to the benefice. If the latter, the site should be secured to the benefice through the medium of the governors or of the Ecclesiastical Commissioners.

It is necessary to observe that the plans, estimate, &c., must be first approved and signed by the bishop and patron before applications can be considered by the governors. Consents required.

When benefices have been augmented by the Ecclesiastical Commissioners, or when they are contributing towards the object for which the loan is sought, their sanction to the loan must be first obtained, and I should be informed for what amount they give their consent; in such cases they commonly require that two of their treasurers should be appointed nominees; and the plans, before being sent to this office, should be approved by them, or be true copies (certified as such by the architect) of those so approved.

It is perhaps scarcely requisite to add that the buildings, &c., are not to be commenced until after the governors' approval of the loan has been obtained, and the necessary formal document of consent executed. Any infringement of this rule will deprive you of your statutory power to charge the revenues of the benefice. Commencement of works.

It may be observed that on compliance with the statutory requirements, incumbents may borrow from any person willing to lend.

To enable an incumbent to borrow, the income of his benefice must be sufficient to pay the annual interest and instalment, as well as the curate's stipend in case of non-residence.

In cases where the income of the benefice consists principally of pew rents, it has been required that the patron (or when the living is in public patronage, three of the parishioners) should give a bond as a collateral security for the due payment of the annual interest and instalment.

Applications to the governors for loans must be made on forms supplied by this office, where the other necessary forms required by Statute can also be obtained.

Yours faithfully,
Joseph K. Aston,
Secretary and Treasurer.

[Building, Drainage, &c.]

INSTRUCTIONS for Surveyor's Papers and Plans required for Building and altering Parsonages, &c., by Loans under Gilbert's Acts.

These Instructions do not apply to Loans for Repairs under the Ecclesiastical Dilapidations Acts.

As these instructions embody statutory requirements, the Governors strongly urge upon Architects and Surveyors the necessity of carefully perusing and strictly regarding them before they forward plans and documents to the Bounty Office, otherwise delay may arise in approving the Incumbent's application for a loan.

The following Documents (omitting A. and E. when not applicable) must be prepared, signed, and sworn to, by "some skilful and experienced workman or surveyor," and sent to the Bounty Office.

1.—Affidavit, in this form—

Note.—If there are no buildings of any description belonging to the Benefice it should here be so stated, and the paper A. will then be omitted.

A.B. of _____ in the county of _____ surveyor (architect, or &c.) maketh oath and saith that he has been accustomed to survey and value, and to superintend the building and repairing of houses and other buildings, and that the paper writings hereunto severally annexed, marked A.B., C.D., &c., contain a true statement of the general condition of the buildings of the Benefice of _____ in the county of _____ and Diocese of _____ and of the particular condition of the building on which the proposed works are to be done, and a plan, bills of quantities and specification of the said works, and a true and correct estimate, according to the best of this deponent's judgment and belief, of the expense of such work. And this deponent further saith that there is not any timber or materials standing or being on the glebe, or old timber and materials in the buildings, fit to be employed in such work, or to be sold (or, that the timber and materials standing and being on the glebe, and old timber and materials in the buildings fit to be employed in such work, or to be sold, the particulars whereof are stated in the said paper, marked E., are to the best of this deponent's judgment and belief, of the value of _____ pounds, shillings, and _____ pence.)

* Sworn at _____ in the County of _____
the _____ day of _____
18 _____, before me _____ (Signature) A.B.

E.F.

Justice of the Peace for the said County of _____
(or Commissioner for taking Affidavits in Chancery, as the case may be).

N.B.—If the bills of quantities should not be prepared by the architect, he should state by whom they have been prepared.

2.—Certificate (A.)—As to the general state and condition of all "buildings" belonging to the benefice, and as to the particular state and condition of the building on which the proposed work is to be done.

(Signature) A.B.

3.—Estimate (B.)—Of the expense of the total works proposed to be done according to the priced bills of quantities, specification and drawings marked C. and D. is

pounds _____ shillings, and _____ pence, viz.
Estimate of value of works as per priced bills of quantities £. s. d.
£. s. d.

Note.—This form must be adhered to in all cases.

Deduct

- (1) value of timber (if any) upon the glebe to be used or sold -
- (2) value of old materials (if any) to be used or sold -
- (3) (a) Amount assessed for dilapidations by the diocesan surveyor, in respect of any works connected with the estimate -

Or

- (b) Architect's estimate of the value of unassessed dilapidations effaced and saved by the execution of the new works -

Net value of works - - - £.
Add charges of surveyor (architect, or &c.)

Estimate - - - £.

(Signature) A.B.

4.—Plans (C).—All plans must be drawn to a scale of 8 feet to an inch and should not exceed in size 18 by 12 inches, and are to be on tracing cloth. Where new buildings are to be erected, elevations and sections must accompany the plans. Where drainage work only is to be done a block plan will be sufficient. The plans, &c., cannot be returned after being lodged in this office. This is mentioned that, if necessary, copies may be kept. In all cases of additions or alterations plans of existing premises should be attached.

5.—Specification (D).—Of the intended work should be written on foolscap paper.

6.—Particulars (E).—Of timber ^{and} old materials fit to be used or sold (if any such exist).

* *N.B.*—The affidavit and each of the above documents are to be on separate papers, and signed by the surveyor, or &c. The documents, &c., marked A. B. C. D. E. must be identified with affidavit by the following exhibit—

This is the paper writing marked A. (or &c.) referred to in the affidavit of (A.B.)

Sworn this day of

Before me

(E.F.)

Justice of the Peace (or &c.)

(Signature of Architect.)

AS TO PLANS.

BUILDING CASES.

1. A block plan of the site, which site should be judiciously selected (with the points of the compass marked), shewing the position of the house, and of the direction of the drains, &c., together with sections indicating the slope (if any) of the ground, and a description of the substratum on which the house is to be built, whether gravel, loam, sand, clay, chalk, rock, or otherwise.

To be drawn to a scale of 8 feet to one inch.	{	2. A plan of each floor, including basement and attic (if any).	} With sizes and heights of rooms, thicknesses of all walls and scantlings of all timbers accurately figured. Damp course to be indi- cated on sections.
		3. A plan of the roofs.	
		4. In cases of additions the connection of new with old roofs should be shown.	
		5. An elevation of each front.	
		6. Two sections at the least.	
		7. In cases of alterations and improvements (not an entirely new structure) the plans of the several floors as they exist at present.	

DRAINAGE CASES.

A block plan only required, showing clearly all the points of drainage, bath, w.c.'s, sinks, &c.

Observations.—It will be necessary for the incumbent to obtain the bishop's and patron's signatures to the plans, in approval thereof, before they are forwarded to the Bounty Office.

In cases where the Ecclesiastical Commissioners have augmented the income of the benefice, or contribute towards the object for which a loan is sought, the plans, before being sent to this office, should be approved by them, or be true copies (certified as such by the architect) of those approved.

The distance of the house from the church should be stated.

If it be desired sketch plans and specification may be submitted for approval. If the loan be granted, complete plans, &c., must then be supplied.

AS TO BILLS OF QUANTITIES AND SPECIFICATIONS.

Quantities.—In all cases of any new buildings, the Governors require to be furnished with detailed quantities of the various kinds of works, which are to be certified copies of those supplied to the contractor for his estimate. Each item is to be priced and monied out in ink, and the total amount to form estimate of works.

No provisional sums whatever, except for grates and chimney pieces, to be included in estimate.

The specification to contain full details, and to have marginal references, and to be written on foolscap paper.

Drains.—Especial care to be taken in the trapping and ventilation of all drains. Tested glazed stoneware pipes to be used for drains. Waste drains from rain-water tanks not to be connected with any foul water or soil drain. All drain pipes to be jointed in cement. Inspection and disconnecting chambers to be provided.

Damp course.—In all new walls, including boundary walls, a damp course of two courses of slates, set in cement, asphalte, or some other approved impervious material, not fibrous, must be inserted above the ground-line through the entire thickness of the solid walls. In hollow walls the bottom of the cavity must be at least three inches below the damp course, which must not encroach upon the cavity.

Ventilation.—Air gratings to be provided for ventilation under floors, to be so placed as to ensure a constant current of fresh air. Sleeper walls to be so built as to allow a through current of air.

Walls.—External walls to be of brick or stone, but without any coating of cement or rough cast, except in the case of matching existing work; if of brick, to be not less than fourteen inches thick; if of stone rubble, to be not less than twenty inches; internal main walls, bricks, nine inches; for stables, small farm buildings, brick walls to be not less than nine inches. External walls of labourers' dwellings to be at least nine inches thick, both on ground and first floors. Stone, rubble or random course, of proportionate thickness; all four-and-a-half inch walls to be in cement. If desired, good concrete blocks will be sanctioned. All external walls must be well tied by internal walls. The bottom course of footings to all walls to be at least twice the thickness of the wall.

Hollow walls.—In exposed situations, all external walls must be built with a hollow cavity, with proper bond, and a proportionate increase of thickness to that stated in the previous paragraph.

Boundary walls.—Boundary walling, whether of stone or brick, should be at least nine inches thick, with suitable coping laid in cement, and with piers at frequent intervals. Iron or wood fencing may be used on brick or stone dwarf walling with piers.

Fireplaces.—To have arched chimney breasts on wrought iron bars, and proper trimmer arches for support of stone hearth. Chimney stacks above roof to be built in cement. The fireplaces must be built against internal walls where possible.

Floors.—The scantlings to be not less than is indicated by the following Table:—

Length of bearing in Feet.	Breadth 2½.	Length of bearing in Feet.	Breadth 2½.	Length of bearing in Feet.	Breadth 2½.
	Depth in inches.		Depth in inches.		Depth in inches.
5	5	10	8	15	10½
6	5½	11	8½	16	11
7	6½	12	9	17	12
8	7	13	9½	18	12 × 3
9	7½	14	10		

When the length of bearing exceeds eight feet, the joists must be strutted by one row, and when it exceeds 12 feet, by two rows of struts. Joists to be not more than 12 inches apart.

Half-timbered Work.—If provided must be of oak and backed by brickwork nine inches thick.

Timber.—Baltic timber either Memel, Riga, or Dantzic; or oak; to be used in the roofs, joists, and partitions, and all other constructive parts of the house, and no joists, rafters, or quarters to exceed one foot apart in the clear. Particular care should be taken that only well-seasoned wood is used.

Roofs.—As the construction of the roofs will depend upon the design of the house, no table of scantlings is given, but the timbers must be strong, and of a substance proportionate to the foregoing table. Means of access to the interior of roofs to be in all cases provided, also dormers for exterior.

No other than copper nails to be described for slating.

Stairs.—Basement stairs to be of stone, slate, or suitable bricks.

Lead.—Roof gutters to be 7-lbs. lead. Cisterns, when not of stone or slate, or galvanised iron, to be lined with lead, the sides to be of 6 lbs., and the bottom 8 lbs. to the foot superficial, at least. Where hollow walls are provided the window and door heads must be covered with lead or other weatherproof material. Flashings to be of 5 lbs. lead. Zinc will not be allowed.

Painting.—All wood and ironwork to have four coats of paints throughout; the last two coats inside, and the papering to be deferred until the new buildings shall have become seasoned.

Fittings.—To include one water closet in the house, drains, cesspools, well, tank cisterns, pumps, pipes, gas piping, but not fittings, and everything necessary for supplying the house with water; also chimney pieces, stoves, grates, 20-gallon copper, sink, kitchen dresser, fittings in pantry and wine cellar, bells, but not articles accounted tenant's fixtures. The cisterns are to be so placed as to be easy of access and their position is to be shown on the plans. The pipes and cisterns are to be protected from the frost by being covered with thick felt where exposed.

The following items are not always insisted on by the governors, but are very strongly recommended:

Roof.—To cover the rafters with boarding and felt.

Concrete.—To put a layer of concrete underneath all the rooms on the ground floor.

Pointing.—To point all external walls with a neat weather joint in Portland cement.

CHANCELS.

Loans for chancels are not usually granted unless the church is to be restored.

In case of restoration or repair of a chancel, the specification of the work must be strictly confined to the fabric of the building, and not include chancel seats, altar rails, nor anything in the shape of fittings.

CONSERVATORIES.

The cost of any glass-houses (either attached or detached) must not be included in Estimate.

PORCHES.

Porches wholly of wood will not be approved by the governors.

Note.—It must be distinctly understood that the works must not be commenced until all the documents have been prepared in the form required by the above instructions, and the necessary formal document of consent to the loan has been duly executed, otherwise the incumbent will lose his statutory power to charge the revenues of the benefice.

GILBERT'S ACTS LOANS.

No.

Questions to be answered by the incumbent of a benefice on application to the Governors of Queen Anne's Bounty for a loan to build, re-build, repair, or purchase a residence house, and for other purposes, under the provisions of the Acts 17 Geo. III. c. 53; 21 Geo. III c. 66, 1 & 2 Vict. c. 23; 28 & 29 Vict. c. 69; and 35 & 36 Vict. c. 96.

Questions.	What is the name of your benefice?	State the Quality, Rectory, Vicarage, or &c.	County.	Diocese.	Net Annual Income.	Population at last Census.
Answers.					£.	

Questions.	State your Names in Full.	Postal Address.	Age.	Date of Admission to the above Benefice.
Answers.				

Questions.	Answers.
For which of the following purposes is the loan required?	
1. For building, re-building, enlarging, altering, repairing, or purchasing a residence house and offices?	
2. For purchasing any lands or hereditaments, not exceeding 12 acres, contiguous to or desirable to be used or occupied with the parsonage house or glebe belonging to your benefice?	
3. For water supply and sanitary improvements to residence house?	

Questions.	Answers.
4. For building any offices, stables, or out-buildings, or fences necessary for the occupation or protection of such parsonage?	
5. For restoring, rebuilding, or repairing the fabric of the chancel of the church of your benefice (in case you, as incumbent, are liable to repair or sustain the fabric of such chancel)?	
6. For building, improving, enlarging, or purchasing any farm house or farm buildings, or labourers' dwelling houses, with the appurtenances belonging to or desirable to be acquired for any farm or lands appertaining to your benefice?	
Number of acres of land connected with farm must be stated, also what additional rent will be obtained by the proposed new buildings.	No. of Acres. Additional Rent, £.

For any of the above purposes, an incumbent may borrow; also for the charges and expenses of the architect or surveyor.

Incumbents cannot, however, mortgage a benefice to the governors for more than three years' net income thereof.

The governors, except in the case of a house being purchased, do not lend for repairs under the Gilbert's Acts, and will require a full explanatory statement of the reasons for proposing to charge the benefice for such purpose.

What sum do you expect to lay out in effecting such purposes?

* The bishop's secretary will be entitled to a fee of one guinea when a commission is issued by the bishop to inquire into the subject of dilapidations (*see* p. 98). The fees of the registrar will also have to be paid, amounting to 12*s.* or 13*s.*

The governors place the services of their solicitor at the disposal of the incumbent for the preparation of the mortgage deed, and other legal documents required, without charge.

	£.	s.	d.
For works - - - - -			
Architect or surveyor - - -			
* Bishop's secretary and registrar -			
TOTAL - - - - -	£		

State from what sources you expect to obtain the sum required?

	£.	s.	d.	£.	s.	d.
Loan from Queen Anne's Bounty - - -						
From incumbent for dilapidations effaced - - -						
From subscriptions - - -						
From						

Have your bishop and patron both given their consent to the loan and signed plans and estimate?

State amount approved by them.

The plan and estimates should bear the bishop's and patron's signatures before they are sent to the Bounty Office.

Amount approved, £. s. d.

Note.—It must be distinctly understood that the buildings, &c., are not to be commenced until after the formal documents have been approved, and the necessary statutory document of consent has been prepared by the governors' solicitor and duly executed, otherwise the incumbent will lose his statutory power to charge the revenues of the benefice.

Questions.	Answers.
Has your benefice been augmented by the Ecclesiastical Commissioners?	
If so, their consent will be required to the mortgage, and your plans, &c., must be approved of by them. They should be applied to before you send in this application.	
State amount of loan sanctioned by them.	£. s. d.
Is your benefice under sequestration?	
Is your benefice subject to any special payment?—If so, state particulars.	
To the minister of any church or chapel?	
To pay off a mortgage to Queen Anne's Bounty or elsewhere?	
To any other incumbrance?	
What sum have you received, or are you to receive, for dilapidations, and in respect of what buildings?	
State date of last official inspection of dilapidations and amount assessed by the diocesan surveyor, whose name should also be mentioned?	
If there is no house of residence, nor buildings of any kind upon the glebe, please to state so.	
If new buildings are to be erected, state if intended site is freehold belonging to your benefice.	
If the loan is for the restoration of the chancel, the incumbent should state whether the church is in good preservation or is about to be restored.	
Are the buildings belonging to your benefice insured against damage by fire (according to the Act of Parliament 34 & 35 Vict. c. 43, ss. 54 and 55), in the joint names of the incumbent and the governors?	
In what office?	
<i>Note.</i> —In loan cases the Act requires, on completion of the works, that they be insured to the extent of not less than two-thirds of the value thereof.	
Is there any timber on the glebe ripe for cutting?	
Is there any probability of your vacating the benefice?	
Are there any other circumstances relevant to the case, which, in your opinion, may give weight to your application to the governors for a loan?	
If there are, please state them.	
* When did the patron of the benefice acquire the patronage?	
If after the 31st December 1898, state whether he acquired it by deed, will, or how otherwise.	

* These questions need not be answered unless the patronage is vested in private persons or in trustees.

Note.—It is not necessary to obtain the signatures of the persons whose names are here asked for, but the names and addresses, &c., should be inserted by the incumbent.

Christian and Surnames in full, title, profession, or occupation of the patron or patrons of the benefice.	{	(Name)
	{	(Address)
	{	(County)
	{	(Profession)

PATRON.

* NOMINEE.

N.B.—Neither the incumbent, architect, nor any other person interested in the loan can act as nominee.

Christian and Surnames in full, and description of the nominee who is to receive and apply the money, and to enter into contracts, &c.	{	*(Name)
	{	(Address)
	{	(County)
	{	(Profession)

* When the benefice has been augmented by the Ecclesiastical Commissioners for England, or when they are contributing to the erection of a residence house, as a rule they appoint their own nominees and surety.

* SURETY.

Christian and Surnames in full, and description of a surety who will join in a bond with the nominee for the due expenditure of the sum lent.	{	*(Name)
	{	(Address)
	{	(County)
	{	(Profession)


COMMISSIONERS.

N.B.—The Act of 17 Geo. III. directs the Bishop to issue a commission in all cases where there are buildings of any kind upon the glebe, whether new or old buildings, but it is generally dispensed with if an official inspection has recently been made under the Dilapidations Act, 1871.

Christian and Surnames in full, &c., of the two beneficed clergymen to be suggested to the bishop as commissioners to inquire and certify as to dilapidations, &c.	{	(Rev.)
	{	(Benefice)
	{	(County)
	{	(Rev.)
	{	(Benefice)
	{	(County)

Incumbent's Signature

Date

 Every Question must have its appropriate Answer.

No.

[To be sworn before a Justice of the Peace or Commissioner to administer Oaths in the Supreme Court of Judicature in England.]

The Reverend _____ of the _____
 of _____ in the County of _____
 and Diocese of _____ maketh Oath and saith that the said
 is not under sequestration, and that he has not granted any annuity, or created any other charge or
 incumbrance whatsoever thereon [except _____]

And also maketh Oath and saith that the following is a just and particular account of the annual

Bounty Office,
3, Dean's Yard, Westminster, S.W.
189

Rev Sir,

I send these instructions respecting the application to building purposes of money, or bank annuities, appropriated by the governors to a benefice.

Expenditure.

The governors may be asked to allow the whole of the moneys or bank annuities belonging to the benefice, or so much as may be required, in case the same shall have been given and appropriated expressly for such purpose. In other instances it is desired by the governors that an incumbent should borrow under the Gilbert's Acts, if the income of the living will admit of it, rather than ask for the expenditure of the permanent trust capital; but if sufficient money cannot be raised on mortgage to meet the cost of building, the incumbent may apply to the governors for their sanction to expend a sum, not exceeding 500*l.*, out of the capital belonging to the benefice.

In preparing the contract drawings which (or copies of which) are to be forwarded to this office, care should be taken to avoid any increased estimate of outlay beyond that already submitted to the governors, otherwise delay will arise, and the case have to be re-submitted to the board.

Plans and estimate to be signed by the bishop and patron before being sent to the Bounty Office.

It will be necessary for the incumbent to obtain the approval of the contract drawings and estimate by the bishop of the diocese and the patron, signified by their signatures thereon, before the contract drawings and other building papers are sent to the Bounty office; and the incumbent, when he forwards them, is to state whether there is a house of residence, and, if there is one, whether he intends to rebuild or add to it, and if he intends to rebuild, whether on the same site, and if a new site is to be used he is to describe its situation and distance from the church, and to give full information of the works proposed to be done, and whether the old materials are to be used in the new building or not.

Appointment of architect.

The governors expect that the incumbent will appoint an architect of skill and respectability to prepare the plans, specifications, and, when possible, priced bills of quantities, forming estimate (which will be submitted by the governor to their own architect), and to superintend the works, and also to employ a competent trustworthy builder. The governors require that bills of quantities (priced) should be furnished in all cases of entirely new parsonage houses and offices.

Money balance.

In case the sum to be applied by the governors is not sufficient to pay the amount of estimate, it must be stated by the incumbent how the money balance is to be provided.

Accommodation.

The governors having regard, on the one hand, to the limited income of the benefice, and on the other to the importance of securing to the incumbent for the time being a convenient house for his residence, are of opinion that the following amount of accommodation, as nearly as may be, should be provided, viz. :—

“Two sitting-rooms, study, kitchen, and scullery, and not less than five bedrooms, each bedroom having a fireplace; there should also be a pantry or china closet, larder, water-closet (two if possible), wine and beer cellar, coal-house, dust-bin, &c.”

Law of Dilapidations.

The law of dilapidations affecting ecclesiastical houses of residence renders it essential that particular attention should be paid to stability; and with a view to economy the governors strongly recommend that ornamental features should, as much as possible, be avoided.

It must be particularly noted that no building operations of any kind are to be commenced until after permission in writing under my hand has been given.

The governors will retain, until after completion, one-fifth part of the amount specified in each certificate by the architect, paying the other four-fifths during the progress of the works, on the application in writing of the incumbent.

The account of charge for architect's commission to form a separate item.

No money or bank annuities appropriated to the benefice will be allowed for extra works, architect's charges, or otherwise, beyond the sum agreed upon by the governors; particular care should therefore be taken that the plans, specification, and estimate include all works intended to be done, and the estimated cost thereof, and the charge for architect's commission, &c.

The direction and forms of documents (set forth in the following pages) are to be carefully observed and followed by the architect.

I am, Rev. Sir,

Your most obedient Servant,

Joseph K. Aston,

Secretary.

The Rev.

Directions for supplying the Governors with Contract Drawings, Bills of Quantities, Specification, Estimate, and Certificates.

PLANS, &c.

1.—A block plan of the site (which site should be judiciously selected) with the points of the compass marked, showing the position of the church, of the house, and of the direction of the drains, &c., together with sections indicating the slope (if any) of the ground, and a description of the substratum on which the house is to be built, whether gravel, loam, sand, clay, chalk, rock, or otherwise. A south aspect for front of house and internal chimneys are recommended. Plans.

To be drawn to a scale of 8 feet to 1 inch. {

2.—A plan of each floor, including basement and attic (if any). 3.—A plan of the roofs. 4.—An elevation of each front. 5.—Two sections, at the least.	}	With sizes and heights of rooms, thickness of all walls, and scantlings of all timbers accurately figured. Damp course where used to be indicated.
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N.B.—In all cases it will be necessary for the incumbent to obtain the bishop's and patron's signatures to the contract drawings and estimate in approval thereof before they are forwarded to the Bounty Office.

BILLS OF QUANTITIES AND SPECIFICATION.

In all cases of any new building, the governors require to be furnished with detailed quantities of the various kinds of works, which are to be certified copies of those supplied to the contractor for his estimate. Each item is to be priced and monied out in ink, and the total amount to form estimate of works. Quantities.

N.B.—No provisional sums whatever to be included in estimate except for grates and chimney-pieces.

The specification to contain full details, and to have a marginal reference opposite the description of each important part of the building in the several branches of trade, thus— Specification.

Footings,	Chimney Breasts,	Roofs,
Walls,	Flues,	Skirtings,
Stone Dressings,	Hearths,	Doors,
Pointing,	Floors,	Architraves,
&c.	&c.	&c.

and to include drains, cesspools, well, tank, cisterns, pumps, pipes, and everything necessary for supplying the house with water; also stoves, grates, twenty-gallon copper, sink, kitchen dresser, fittings in pantry and wine cellar, and bells, but no other fixtures usually accounted tenant's fixtures.

All external walls to be of brick or dressed stone, but without any coating of cement or rough cast; if of brick, to be not less than 14 inches; if of stone, not less than 20 inches; internal main or tie walls, brick, nine inches, stone rubble or random course, of proportionate thickness; $4\frac{1}{2}$ inch walls to be in cement. Walls.

In all cases a course of slate, or some other impervious material, must be inserted above the ground-line through the entire thickness of the walls, to prevent the damp rising. Air gratings to be provided for ventilation under floors, to be so placed as to ensure a constant current. Damp-course, &c.

Especial care to be taken in the trapping of all drains. Tubular glazed tile pipes are to be used for draining. Waste drains from rain-water tanks not to be connected with any foul water or soil drain. Drain pipes.

In exposed situations, all external walls must be built with a hollow cavity in the middle, with proper bond, and a proportionate increase of thickness. Hollow walls.

Stone or brick to be used for all chimney stacks, copings, &c., and five-pound leads for all flashings, &c.; cement or zinc for any of the above purposes will not be allowed.

Basement stairs to be of stone, slate, or suitable bricks.

No main partitions to be constructed of wood.

Baltic timber or oak to be used in the roofs, joists, and partitions, and all other constructive parts of the house, and no joists or rafters to exceed one foot apart in the clear. Timber.

The scantling of floor timbers to be not less than are indicated by the following table:—

Length of bearing in Feet.	Breadth $2\frac{1}{4}$.	Length of bearing in Feet.	Breadth $2\frac{1}{4}$.	Length of bearing in Feet.	Breadth $2\frac{1}{4}$.
	Depth in inches.		Depth in inches.		
5	5	10	8	15	$10\frac{1}{2}$
6	$5\frac{1}{2}$	11	$8\frac{1}{2}$	16	11
7	$6\frac{1}{2}$	12	9	17	12
8	7	13	$9\frac{1}{2}$	18	12×3
9	$7\frac{1}{2}$	14	10		

Strutting. When the length of bearing exceeds eight feet the joists must be strutted by one row, and when it exceeds 12 feet by two rows of struts.

Copper nailing. As the construction of the roofs will depend upon the design of the house, no table of scantlings is given, but the timbers must be strong, and of a substance proportionate to the requirements. Means of access to the interior of roofs to be in all cases provided.

Painting and papering. Copper nailing to be described for slating.

Cisterns. The house to have four coats of paint throughout: the last two coats inside, and the papering to be deferred until the building shall have become seasoned.

Roof gutters. Cisterns, when not of slate or galvanised iron, to be lined with lead, the size to be of six pounds, and the bottom eight pounds to the foot superficial at least.

Boundary walls. Roof gutters to be of seven pound lead.

Boundary walling, whether of stone or brick, should be at least nine inches thick, with suitable coping laid in cement, and with piers at frequent intervals. Strong wire fencing may be used on brick or stone dwarf walling with piers, but under no other circumstances.

ESTIMATE.

Estimate. It is recommended that the estimate of the cost of the works to be formed from bills of quantities, as stated above, and to include (stating the amount of) the architect's own charges with respect to the whole business, and charges, if any, for taking out quantities.

Architect's commission.

CERTIFICATES BY THE ARCHITECT.

As to old house and buildings. Architect's certificate of the condition of the old house and buildings, if any, and of his opinion whether the same can be repaired to answer any useful purpose, and of the value of the old materials, and of the best mode of disposing of them.

Architect's Certificate as to Plans, Specification, and Estimate for Building a House and Offices, where there is no House.

As to plans, &c. I, A. B., of _____ in the County of _____ Architect, do hereby certify that I have been accustomed to survey and value, and to superintend the building of houses and offices, and that I have drawn the plan or plans, if more than one (marked A.) and prepared the bills of quantities, specification, and estimate (marked B.) for building a house and suitable offices on glebe land belonging to the benefice of _____ in the County of _____ and diocese of _____ and that the plans, bills of quantities, specification and estimate are, in my judgment, severally correct and true.

Dated this _____ day of _____ 189 _____

[Signature of architect.]

N.B.—If the bills of quantities should not be prepared by the architect, he should state by whom they have been prepared.

No. 18

Dear Sir,

Benefice of _____

I will thank you to submit this application to the governors of Queen Anne's Bounty for permission to expend the sum of £ _____ now standing to the credit of the above benefice in the execution of the undermentioned works.

Incumbent's signature _____

To the Secretary and Treasurer
to the Governors of Queen Anne's Bounty.

PARTICULARS OF APPLICATION FOR THE EXPENDITURE OF TRUST CAPITAL

Benefice of	County	Diocese
Incumbent's full name		
Address		
Name of patron		
Date of admission to benefice	18	Age
Net value £		Population
Nature of proposed works		
£. s. d.		
Estimate of works	-	-
Architect's commission	-	-
Total cost of works £.		

The amount of estimate is proposed to be provided as specified below.

£. s. d.

From Trust Capital in the governors' hands	-	-	-
„ Loan from Queen Anne's Bounty	-	-	-
„ Ecclesiastical Commissioners for England	-	-	-
„ Incumbent personally	-	-	-
„ Subscriptions or other sources	-	-	-

being the total cost of works as above £.

The governors request that particular care should be taken that the original plans, specification, and estimate include all works intended to be done, the estimated cost thereof, and the charge for architect's commission, &c., as no subsequent application will be entertained for extra works executed without authority.

The plans, estimate, &c., should also bear the signature of the bishop and patron before being sent to the Bounty Office.

INSTRUCTIONS as to the Sale (under 2 & 3 Vict., c. 49) of Land, &c., acquired for a Benefice by the Governors of Queen Anne's Bounty.

Lands acquired for a benefice by the governors of Queen Anne's Bounty may be sold by the incumbent with the consent of the bishop, patron, and governors (and with the further consent of the Archbishop of the province, when the estate is situate in the parish of the benefice, or in an adjoining parish or parishes), under the provisions of the Act 2 & 3 Vict., cap. 49; and to bring a proposal for sale under this Act before the governors the following instructions should be observed; but incumbents are advised and cautioned, in order that they may avoid expense, not to enter into any contract for sale without communication with the Bounty Office.

The governors, before sanctioning sales of bounty land, require to be satisfied that the sale will be advantageous to the benefice.

If the buildings and fences on the estate are not in good repair, the dilapidations must be made good or paid for by the incumbent.

First of all, a surveyor having been selected, his name is to be submitted to the bishop ^{Surveyor to be approved by bishop and governors.} for approval. [See form of approval set forth on the other side.] The bishop's written approval is then forwarded to this office, that the governors may also be asked to sanction the employment of the surveyor so nominated.

The governors' approval of the surveyor having been obtained, he is to be directed to ^{Instructions to a surveyor.} make (1) an accurate plan (indicating the adjoining landowners); (2) a report giving a description of the situation, whether in the parish or in an adjoining one, or in what other parish, the quantity and quality of the property, and its condition as to cultivation, and repair of buildings (if any) and fences; and (3) a valuation, stating the tenure and yearly value of the estate, its outgoings, and the number of years' purchase it is worth, distinguishing, where necessary, between buildings and lands; also the value of the timber, and whether there are any mines, minerals, or quarries, and if so, the value thereof.

The surveyor is also to give his opinion whether the proposed sale will be advantageous to the benefice, and his reasons for such opinion; and what he considers to be the best mode of effecting the sale, whether altogether, or in lots, and whether by private contract or public sale; and generally, he is required to give such information on the subject as the nature of the case may require.

The surveyor should specify the number of each field, as marked on the tithe commutation map (if any) of the parish or on the ordnance survey; and his attention should be called to the following scale of charges, which the governors have adopted.

For survey and valuation, and preparation of a plan, including travelling and other ^{Surveyor's charges.} expenses:—

For the first 500 <i>l.</i> fee simple value	-	-	-	-	-	1 <i>l.</i> per cent
For the next 500 <i>l.</i> „	-	-	-	-	-	15 <i>s.</i> „
For the next 1,000 <i>l.</i> „	-	-	-	-	-	10 <i>s.</i> „
For the remainder	-	-	-	-	-	5 <i>s.</i> „

The incumbent should forward the plan, report, and valuation, to this office, together with the names of three beneficed clergymen of the diocese in which the living is situated ^{Commission of inquiry.} (one of them being the rural dean), and of three laymen of character in the neighbourhood, to be proposed to the bishop as commissioners, to inquire as to the expediency of the proposed sale.

On receipt of these papers a commission of inquiry will be issued, and the report of the commissioners will be duly laid before the governors.

If a sale be approved, the contract or conditions of sale will be prepared, and the sale carried through by the governors' solicitor, who will act for the benefice.

If a sale be effected, except in auction cases, the governors require that all costs be paid by the purchaser. In auction cases the out of pocket expenses of sale and the surveyor's fees, according to the scale of charges, will be paid out of the proceeds of sale. ^{Costs.} If a sale should not be sanctioned by the governors, or if it should, for any cause, not be (0.33.)

completed, it is to be understood that all costs, charges and expenses of the surveyor, and out of pocket costs (if any) of the governors' solicitor, and all other incidental costs, charges and expenses, are to be paid by the incumbent, as the governors cannot undertake to be at any expense whatever.

Purchase money.

The governors, if a sale be effected, will receive the purchase money, and will pay interest thereon (at the rate of 3 per cent. per annum until further notice) to the incumbent for the time being, till the principal is laid out in land or otherwise expended.

Bounty Office,
Dean's Yard, Westminster.

By order of the Board,
Joseph K. Aston, Secretary.

FORM of the Bishop's approval of the Surveyor.

I, _____, Lord _____ Bishop of _____
do hereby signify my approbation of Mr. _____ of _____
_____, in the county of _____, land surveyor, to survey
and value a bounty estate, situate at _____, in the county
of _____, and belonging to the benefice of _____
in the county of _____, within my diocese, and to make a report of the
value and condition thereof, in contemplation of a sale.
Given under my hand, this _____ day of _____ 18 _____.
(Signature)

APPENDIX H.

LEGAL DEPARTMENT.

The Legal Department within the Office was started in the year 1894.

The work may be thus classified—

1. Sales for benefices.
2. Purchases for benefices.
3. Benefactions and free gifts of real estate.
4. Purchases of ground rents.
5. General matters including the preparation of all Mortgages and Endowment consents.

The following summary is intended to show the working of the department during the past five years ending 1st March 1900, and in particular the saving effected to the Governors' General Fund and to benefices respectively by employing a solicitor at a salary instead of paying an outside solicitor under the old system. In making the calculations on which the summary is based, it has been assumed that under the old system the Governors would have paid the ordinary scale fees under the Solicitors' Remuneration Act, 1881, where applicable.

Nature of Transaction.	Number completed in the Year.	Aggregate Purchase-moneys paid by Governors.	Actually earned for the General Fund.	Estimated saving to Benefices.	Estimated saving to General Fund.
<i>Sales for Benefices.</i>		£. s. d.	£. s. d.	£. s. d.	£. s. d.
In the Year ending 1st March 1896	14	—	181 1 1	21 10 —	—
" " " 1897	13	—	116 5 10	45 10 —	—
" " " 1898	21	—	95 3 3	162 15 —	—
" " " 1899	22	—	139 13 4	207 5 —	—
" " " 1900	29	—	276 9 3	39 — —	—
<i>Purchases for Benefices.</i>					
In the Year ending 1st March 1896	23	13,949 15 —	—	316 6 —	—
" " " 1897	35	23,867 5 —	—	463 12 3	—
" " " 1898	18	12,446 15 —	—	229 6 5	—
" " " 1899	31	16,743 13 4	—	352 14 8	—
" " " 1900	18	16,923 8 11	—	302 2 —	—
		83,930 17 3			
<i>Benefactions and Free Gifts.</i>					
In the Year ending 1st March 1896	19	—	—	—	334 10 9
" " " 1897	19	—	—	—	357 15 6
" " " 1898	26	—	—	—	564 17 9
" " " 1899	25	—	—	—	418 — —
" " " 1900	32	—	—	—	557 13 7
<i>Purchases of Ground Rents.</i>					
In the Year ending 1st March 1896	—	2,508 — —	—	—	26 — —
" " " 1897	28	377,922 3 3	—	—	1,889 18 4
" " " 1898	16	142,141 10 8	—	—	741 3 5
" " " 1899	29	254,430 3 3	—	—	1,349 15 5
" " " 1900	22	69,844 15 3	—	—	620 2 5
		846,846 12 5			
<i>General Matters.</i>					
In the Year ending 1st March 1896	—	—	47 9 1	91 — —	55 — —
" " " 1897	—	—	45 9 5	50 — —	290 — —
" " " 1898	—	—	157 6 9	60 — —	135 — —
" " " 1899	—	—	214 7 3	60 — —	80 10 —
" " " 1900	—	—	861 19 5	60 — —	60 — —
TOTAL		— £.	2,135 4 8	2,461 1 4	7,480 7 2

APPENDIX I.

NUMBER of LETTERS received and sent 1897-1899.

Year.	Letters Received.	Letters Sent.		
		Entered in Numerical Order.	Entered in bulk, not including Half- yearly Warrants.	Total.
1897 - - -	28,883	35,761	10,974	46,735
1898 - - -	27,569	35,289	10,576	45,865
1899 - - -	28,778	36,739	13,077	49,816

APPENDIX J.

BANKING RULES.

(1.) THAT Messrs. Coutts & Co., or other the bankers of the corporation, shall receive, by powers of attorney, all interest and dividends due to the governors on their bank annuities, railway, waterworks, and such like other securities; also that the bankers shall purchase and sell all such bank annuities and other securities as the governors shall direct by a Board minute.

(2.) That all sums of money receivable by the governors shall, as far as practicable be remitted direct to Messrs. Coutts, or other their bankers for the time being; except, amounts due at periodical intervals, which shall be collected by the treasurer as heretofore, and paid by him to the governors' banking account on the day of receipt.

(3.) That instead of payments being made by cheques, all sums of money payable by the governors shall, if possible, be transmitted through the governors' bankers to the bankers of the parties entitled to receive the same, the said parties being previously requested to supply the names of their bankers for that purpose.

This regulation is not to interfere with the transmission of interest and dividends by warrants direct to incumbents, as at present.

(4.) That upon the completion of deeds prepared by the solicitor of Queen Anne's Bounty, he shall certify the amount payable, with the name and address, and banker of the party entitled to payment.

(5.) That all cheques shall be signed by the treasurer, and countersigned by the chief clerk. In the absence of the treasurer, cheques shall be signed by the chief clerk and one of the senior clerks, and countersigned by another of the senior clerks, or during the months of August and September by the chief clerk countersigned by one senior clerk. In the absence of the chief clerk, cheques shall be countersigned by the first senior clerk in attendance, the amount and number of cheques so exceptionally signed to be reported by the auditor to the Finance and Audit Committee at their next ordinary meeting.

(6.) That a monthly credit with the bankers be given to secretary and treasurer, the amount thereof being recommended to each Board meeting by the Finance Committee, and stated in the minutes, together with the auditor's certificate of the amount expended of the previous credit.

(7.) Besides issuing warrants for the payment of interest and dividends and drawing cheques for salaries, rent, taxes, insurances, and for small current expenses, the treasurer may also draw for petty cash expenses to the extent of two hundred pounds. An account in detail of such petty cash expenditure to be submitted to the Finance and Audit Committee, and sanctioned by the Board.

(8.) That the accounts be continued with Messrs. Coutts & Co. in the name of the governors. That the receipts and payments of all sums relating to capital shall appear in the principal account, and of all sums relating to income in a separate account. That any bills received shall be at once handed to the bankers to be placed to the bills receivable, account to be afterwards carried when paid to the credit of the capital account. That sums may be transferred by Messrs. Coutts & Co., from the income account to the capital account (but not *vice versa*) on the request of the treasurer, also by the like request sums may be transferred to and from deposit accounts. Messrs. Coutts & Co. shall, yearly on 31st December, transfer the whole balance of the separate account to the general account.

(9.) That the bonds given by the secretary and treasurer, and chief clerk, and their sureties, shall be deposited in the hands of the governors' bankers, and copies thereof supplied to the governors' auditor, whose duty it shall be to enquire as to the position of the sureties, and to report the same annually to the Board.

(10.) That in matters not provided for by these rules relative to the management of the accounts and payments and advances to be made from them, Messrs. Coutts & Co. are to be guided by the governors' order under their common seal, or by an order under the hand of the Archbishop of Canterbury, the chairman of the Finance and Audit Committee, or any two members of the Finance and Audit Committee.

No. _____

Payment 5th October, 1900.

London, 5th October, 1900.

Messrs. Coutts & Co., 59, Strand.

Pay Reverend _____ or Order.

countersigned

£. _____

Chief Clerk.

Treasurer.

(To be signed here by the above Reverend.) _____

Payable during the Month ending 5th November, 1900.

(No acknowledgment required.)

This Circular can be used for Income Tax purposes.

The Warrants for the half-yearly sums payable to the Clergy are issued by the Governors of Queen Anne's Bounty on the 5th April and 5th October, unless such days fall on Sunday, or Bank Holiday, when the Warrants will be sent on the following day.

When the Warrants do not arrive in due course of post, notice should be given forthwith to the Bounty Office.

If the Incumbent to whom a Warrant is addressed should not be entitled to the full payment, the Warrant is to be returned to the governors.

Payment to 5th October, 1900.

No.

Benefice of

Name of Trust.	Money Capital.			Interest at 3l. per cent.
	£.	s.	d.	
Augmented Livings, No. 1 - - -				
Augmented Livings, No. 2 - - -				
Bounty Lands, &c., Sold - - -				
Church Building Acts, &c. - - -				
Copyhold Enfranchisements - - -				
Endowment Trusts - - -				
Glebe Houses, &c., Sold - - -				
Harris's Bequest - - -				" "
Lands of Crown Livings sold to Railway Companies.				
Miscellaneous Trust - - -				
Old Buildings, &c., Sold - - -				
School Sites - - -				
Tithe Redemptions - - -				
Tithe Redemptions (Extraordinary Tithe) -				
Less Income Tax at 1s. in the £.				" "
Sum payable £.				" "

Application as to full, or partial exemption from, and return of, Income Tax, is to be made to the Local Assessor. This Circular will be received by the Inland Revenue Department as a voucher in claiming repayment; because it is hereby certified that the Income Tax, stated above, has been assessed upon the Revenues of Queen Anne's Bounty.

By Order of the Board,

Bounty Office, Westminster, S.W.,
5th October, 1900.

W. R. Le Fanu, Chief Clerk.

APPENDIX K.

MINUTES OF EVIDENCE GIVEN BEFORE THE SELECT JOINT COMMITTEE ON QUEEN ANNE'S BOUNTY BOARD ON MONDAY, 22ND JUNE, MONDAY, 29TH JUNE, TUESDAY, 7TH JULY, AND THURSDAY, 9TH JULY, 1868, BY Mr J. K. Aston and Mr. S. Dunning.

MEMBERS PRESENT:

Mr. Akroyd.
Mr. Cavendish Bentinck.
Mr. Bouverie.
Lord Charles Bruce.
Mr. Fielden.
Mr. Beresford Hope.

Mr. Howard.
Mr. Monk.
Mr. Newdegate.
Mr. Powell.
Mr. Schreiber.

THE RIGHT HONOURABLE EDWARD PLEYDELL BOUVERIE IN THE CHAIR.

Mr. JOSEPH KEECH ASTON and Mr. SIMON DUNNING, called in; and Examined.

1 *Chairman* (To Mr. Aston.)] WHAT office do you hold in the Bounty Board?—I am Assistant Cashier and Accountant.

2. (To Mr. Dunning.) What position do you occupy?—Mr. Burder and myself are the Solicitors to the Governors of Queen Anne's Bounty.

3. (To Mr. Aston.) Who is the Secretary of the Bounty Board?—Christopher Hodgson, Esq., who holds the joint offices of Secretary and Treasurer, and Receiver of First Fruits and Collector of Tenths.

4. Is he unwell?—He is very unwell at the present time, and he regrets his inability to appear before this Committee to day.

5. Is he unable to come, in fact?—He is quite unable to come, and I can put in a medical certificate to that effect, if the Committee wish it.

6. Does his medical adviser tell him that he must not come?—He says that it is not safe for him to do so.

7. Are you well acquainted with the working of the office?—Mr. Hodgson has deputed me to represent him on this occasion, in the hope that I shall be able to give the Committee such information as they may require.

8. Have you with you a memorandum which was drawn up at the Bounty Board, as to the business and constitution of the board?—I have. That memorandum was prepared at the office, and a copy has been sent to each Member of the Committee. (*The Witness delivered in a Paper, vide Appendix.*)

9. Is this, so far as you know, an accurate account of the constitution of the board?—I believe it to be so.

(033.)

10. The board consists of a great number of officers of State, and other public officers of distinction, enumerated in this memorandum, does it not?—It does. On page 2 of the memorandum they are enumerated.

11. It includes all bishops, deans, privy councillors, mayors, judges, serjeants-at-law, the Speaker of the House of Commons, Queen's counsel, the Lord Mayor and Aldermen of the City of London, and a good many other authorities, does it not?—Yes.

12. In practice, of what does the board consist?—Of archbishops and bishops; some of the aldermen of the City occasionally attend, and now and then a judge—Sir Travers Twiss, for instance, and I remember also that some Queen's counsel have attended.

13. How often do the board sit?—Annually, at the commencement of the season, a card is published, giving the dates for monthly meetings, except during the Parliamentary recess.

14. Do they hold monthly meetings except in the long vacation?—Substantially, that is so; they meet the first Thursday in each month, except September and October.

15. Is there a list kept of the attendance of the governors?—Yes.

16. Is that a record of the office?—That is a record of the office, and there are also board minutes of their transactions. Very full minutes are kept, and they are signed by the bishops, and confirmed.

17. Can you furnish the Committee with a list of the attendance for the last two or three years?—It could be easily prepared if the Committee desire it, but a return upon this subject

Mr.
J. K. Aston
and Mr.
S. Dunning
—
22 June
1868.

Q

was

Mr. [J. K. Aston and Mr. S. Dunning.] was moved for by Mr. Horsman some years since, and I have brought a number of those papers with me.

22 June
1868.

18. Those are somewhat out of date, are they not?—I think not; the attendance was then a very moderate one, and it is substantially the same now.

19. Is that a Parliamentary Return?—It is Paper No. 145, of the year 1850 (*handing a paper to the Committee.*)

20. Mr. *Newdegate.*] Practically, I think, the legal governors attend when it is anticipated that legal questions will arise?—Quite so.

21. They are called upon by those who usually attend, are they not, when their legal knowledge is required for the purposes of the board?—That is so.

22. *Chairman.*] In a general sense, does this paper represent tolerably accurately the ordinary attendance?—I think it does.

23. Would a fresh return show very much the same sort of result as this?—That is my belief, but if the Committee would like a fresh return we could soon prepare it.

24. Will you prepare a fresh return for the last three years?—I will.

25. Mr. *Newdegate.*] Supposing that any local questions arose, would the lord lieutenant or the mayor (as you have stated to be the case with the aldermen) attend?—It is quite open to any governor to attend, and although the lords lieutenant are not commonly summoned, because it is very seldom that they would attend if they were summoned, yet if any local question arose, and they requested to be summoned, they would receive a notice of every meeting which was to be held; they would not only receive the card at the beginning of the year, but they would receive a specific notice as to each meeting.

26. Mr. *Cavendish Bentinck.*] When any local question arises, is the lord lieutenant of the district summoned as a matter of course. Supposing, for instance, that a question arose with regard to Cumberland or Westmoreland when such a question as that were brought before the board, as a matter of course, would the lord lieutenant of Cumberland or Westmoreland be summoned?—A purely local question, probably, would not arise, unless some incumbent of a benefice felt that he had a grievance, and wished for the attendance of the lord lieutenant, or if the parishioners of a parish felt aggrieved at some decision. The decisions are made upon fixed and general rules, and I am not aware, in my remembrance, of any case in which a particular lord lieutenant has been summoned as a matter of course, in the way suggested, as I understand by the honourable Member, in order that he might be present when some local question had to be considered and decided.

27. Mr. *Newdegate.*] But if any practical grievance has arisen on the part of parishioners, that course is open to them, is it not?—Fully so.

28. *Chairman.*] Is there any occasion upon which all the members of the board are summoned?—I do not remember any such occasion.

29. From the list, I should imagine that the whole board consisted of several hundreds of individuals; it includes privy councillors, lord lieutenants, all the judges, all Queen's counsel,

all mayors, and other officers. Have you any idea of what the total number is?—I should think it approached 200 in 1713; but I never counted up the Queen's counsel; that is a very variable body, which must have increased greatly since 1713; and the same with the serjeants; and, probably, also as the privy councillors.

30. Mr. *Beresford Hope.*] I see, from the Report of 1836, that the late Lord Harrowby was in the habit of attending the board. As a matter of fact, is there any member of the board who attends merely for his own pleasure?—The aldermen, I think, come down entirely for their own pleasure.

31. But is there any particular governor who has made a point of attending?—Not of recent years.

32. *Chairman.*] Do the board have a general meeting every year?—An extraordinary general meeting is required by the Act of the 1st of Victoria.

33. Are not two extraordinary general meetings required to be held?—An extraordinary general meeting is required to be held between the months of February and June.

34. What is the average attendance at those general meetings?—Five form a quorum for a general court. A committee may consist of a smaller number. The powers of a committee, except in the matter of sealing deeds, are the same as those of a general board, upon confirmation of the minutes of the committee by the general board.

35. Do the committee practically discharge most of the functions of the board with regard to the dispatch of business?—I think not.

36. Is there a general committee transacting the ordinary business of the board?—There is no general committee, but once a year a special committee is appointed for the purpose of examining into the cases submitted to the governors where grants are sought from the governors to meet benefactions, and that committee is termed a benefaction committee.

37. Is that as to applications for augmentation?—Just so.

38. But there is no standing committees of the governors?—No.

39. Where do the governors meet?—At the Bounty Office, in Dean's Yard.

40. Is that also the secretary's residence?—It is.

41. Has he a distinct residence, or does he live in the office?—The offices are in, under, and about the house, and annexed to it.

42. Do the board meet in the room which he occupies as a residence?—Yes; the board-room, when used by the board, is strictly the board-room of the governors; at other times it forms the secretary's private sitting room.

43. Is that room used for any other public purpose?—Occasionally the Upper House of Convocation assemble in that room.

44. Do they hold their deliberations in that room?—They do.

45. But the building belongs to the Bounty Board, does it not?—It is leased by the Bounty Board of the Dean and Chapter of Westminster.

46. I presume that the secretary has always had a residence in the office?—The secretary, I think, as secretary, always had a residence in the office.

47. Mr. *Newdegate.*]

47. *Mr. Newdegate.*] He is in charge of the documents, is he not?—He is in charge of the documents.

48. *Chairman.*] Have you all your muniments in that office?—They are kept in a fire-proof muniment-room, in connection with the office, at the side of the house.

49. Are the mortgages and securities, and so forth, kept there?—All the securities are there.

50. Do you keep there not only the mortgages, but also the conveyances of land which you hold in trust for the different livings?—Yes.

51. In fact, are all your title deeds kept there?—Exactly so.

52. What is the salary of the secretary?—The salary which Mr. Hodgson receives for the four offices, which have been combined in one, is 1,350*l.* a year.

53. How is that distributed?—1,000*l.* for the two offices of secretary and treasurer, and 350*l.* for the added offices of receiver of first fruits and collector of tenths.

54. The secretaryship and treasurership were consolidated in the year 1831, were they not?—They were consolidated, in the year 1831, by Royal Sign Manual.

55. There had been some difficulties in the office before that, had there not?—Before the year 1831 the office of treasurer was distinct from that of secretary, and the governors, after deliberation, thought it wise to put the two together, and they gave the office of treasurer, which was then vacant, to the then secretary, the present secretary, Mr. Hodgson, reducing the combined salary to 1,000*l.* a year.

56. And that was confirmed by Royal warrant, was it not?—By Sign Manual.

57. Then how were the further offices added to Mr. Hodgson's office?—By the Act of the 1st of Victoria, and by Royal Sign Manual under that Act.

58. That Act abolished the old patent offices, did it not?—That Act abolished the old Patent Offices connected with the First Fruits and Tenths, which had separate and distinct places of business in two different parts of London; they were brought down to Dean's Yard, and Mr. Hodgson was made the chief in command of the two new ones, as well as of the united old ones.

59. And practically you collect at the office the First Fruits and Tenths?—Both the First Fruits and the Tenths, and all the revenue of Queen Anne's Bounty.

60. Speaking, without any disparagement to Mr. Hodgson, the secretary is of great age, is he not?—He has reached the age of 84.

61. How long has he been in the office?—By the Return before your House, which was moved for by the honourable Member for Cambridge lately, he has been upwards of 46 years there; he was first appointed in the year 1822.

62. Has he any assistant?—He has an assistant secretary under him, who takes charge of the secretary's office, and then there is the treasurer's office.

63. What is the assistant secretary's salary?—The assistant secretary's salary is 550*l.* a year.

64. Does that appear in this Return?—It has (Q.33.)

been before the House on two or three occasions; it is in the Paper of this Session, No. 326, page 21.

65. Where does the salary of the assistant secretary figure?—Under the secretary's office, as senior clerk. We commonly call him assistant secretary, which is his proper rank.

66. He has been there a very long time, has he not?—Forty-four years.

67. Do you know what his age is?—He is 70 years of age, I think.

68. Do you come under the Superannuation Act in the Bounty Board?—We are not at all under the Civil Service or under the Superannuation Acts, by which the Civil Service of the country is generally regulated.

69. Has any provision ever been made for superannuation in the office?—I can remember one or two cases in which the governors gave superannuations.

70. Did the governors do it in those cases for the advantage of the office?—In one case they did it for the advantage of the office by Minute, and, in the other case, it was done by Sign Manual.

71. Has that charge now disappeared from the office accounts?—Yes; but there is one case of superannuation still in the accounts of the office. It is at the foot of page 21 of the paper to which I have referred.

72. But that is under Act of Parliament, is it not?—It is.

73. That is a statutory retirement, is it not?—It is so, by Treasury Warrant; but the superannuations by the governors have long since ceased.

74. Then, in the secretary's office the junior clerk has been there 23 years, at 250*l.* a year; what is his age?—I do not know for certain; but he looks about 44 or 45. He came in young.

75. Then, in the treasurer's office, there is the cashier, who has been there 56 years; he cannot be very young; what is his age?—He was formerly under the treasurer at the time the offices were quite distinct, and when the treasurership was a mere adjunct to the then occupant's other offices and duties. He entered the service at a very early age; and, at the present moment, I think he is 70 or 71.

76. Are you the assistant cashier and accountant there?—I am.

77. Those other four clerks are all of them younger men I imagine, who have been there for 23 or 24 years, or are there any old men amongst them?—There is one man, who is a little my senior, and the other three are considerably younger.

78. Is there any rule in the office as to the age at which they shall enter?—Not any; the appointments of the officials, other than of the chief of the office, being in the gift of the governors, they have selected from time to time at Mr. Hodgson's recommendation, or at the Archbishop's recommendation, such men as they thought would be suitable for the exact positions to which they were to be appointed.

79. Has there been a clerk appointed within recent years, who was upwards of 60 years old at the time he was appointed?—No.

80. Has anything at all like that occurred?—I am not aware of any man having been appointed to any office under the board, who was not

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not thoroughly capable of doing the duties required of him.

81. But has there been anybody appointed who was 60 years old, or thereabouts, at the time that he was appointed?—The oldest man that I remember to have been appointed to the office at any time, was a Mr. Scott, whose age, as far as I know, at that time, would be about 50.

82. Is he still in the office?—He is still in the office, and he is capable of doing his work.

83. How long has he been there?—About 15 years, and he has a fixed salary of 150*l*.

84. Who practically makes the appointments, is it the secretary or the chairman of the board?—Speaking of my own experience, I was recommended by Mr. Hodgson to Archbishop Howley.

85. And on that recommendation, were you appointed?—I was.

86. Do you think that that is the ordinary practice?—I believe it to be so.

87. Mr. *Newdegate*.] Were you appointed by the board, or by the archbishop?—By the board.

88. *Chairman*.] Then do the three clerks, mentioned in the last branch of that return, the senior clerk and the junior clerk, in the First Fruits and Tenths Office, and the office clerk, comprise all the rest of the staff, in addition to those which you have enumerated?—All the rest.

89. What are your office hours?—From ten until four.

90. Is a close attendance required?—Close attendance is required.

91. Is there full occupation for everybody in the office?—There is full occupation for everybody in the office.

92. Have you an attendance book kept in the office in the ordinary fashion in public offices?—The office being a small one, Mr. Hodgson has never thought it necessary to introduce an attendance book.

93. Do you keep a register of letters received?—We do not.

94. Is there no general record kept of the letters?—Mr. Hodgson opens the letters himself, and assort them out to the men in the three several offices to which they belong; those branches of which I have been speaking.

95. Does he minute them himself?—He minutes them himself, and settles the drafts, and signs the fair copies.

96. But have you any registered number, for instance, as they have in the large public offices, and can you tell what number of letters come in and go out every year?—I do not wish to draw any comparison between Queen Anne's Bounty, which is a small charitable office, and a large State office; but we have never felt it necessary to have such a regulation. All our letters are docketed with the name of the living to which the subject matter relates, and they are sorted away in a strictly alphabetical manner, according to the livings to which they relate. Therefore, practically, we never find the need of such a register. If a clergyman, or patron, or layman, or Member of Parliament, should call to inquire about any particular business transacted by the office for any particular living, we should be able at once to produce a bundle of papers con-

taining the whole of the correspondence, and to answer all inquiries that might be made.

97. But do you know the number of letters that pass through the office in the course of a year?—I do not.

98. Can you state what is about the daily average?—If the Committee desire it, I would rather prepare a precise statement than hazard a guess upon the subject.

99. I presume that the letters which are answered are copied?—Yes, copies are kept.

100. Mr. *Newdegate*.] To how many livings do the letters relate?—To a very large number. They chiefly relate to matters of finance. Sums are remitted to the office, and the answer, generally speaking, is merely to send a receipt for the money so enclosed to the treasurer, with Mr. Hodgson's compliments.

101. To how many livings do the letters relate?—I think I should not be wrong if I said that they related to some 12,000 livings. In fact we have dealings upon one subject, or another, with almost every living in the country.

102. Mr. *Powell*.] The building in which the business is transacted, is a new building, or a building which is nearly new, is it not?—Part of it is new, or nearly new, and the other part is of older date. There was a fire which burnt down the oldest part of it, in the year 1847. I think, and then that part of it was rebuilt.

103. At whose cost?—Partly by the insurance money received, and the remainder was paid by the governors.

104. Have you paid the insurance premium year by year?—The building is kept insured by the Bounty Office.

105. What sum was spent upon the improvement of the building at the time of the fire, out of the Bounty fund?—I could not answer that question without reference to the accounts.

106. Were the premises considerably enlarged at that time?—They were enlarged, and they were rebuilt in a better style, and more in accordance with the modern requirements of the Dean and Chapter of Westminster.

107. Did the Dean and Chapter of Westminster insist upon certain improvements in the building?—Not that I am aware of, but Mr. Hunt, their surveyor, approved of the plans prepared by the governors' architect, on behalf of the Dean and Chapter.

108. What were the terms under which, at that time, you held the premises?—The same as at present, viz., a 40 years' lease.

109. When was the lease, then running, to expire?—I do not remember.

110. When was the lease renewed?—Some two years since, I think.

111. Will you give the date of the renewal?—It was in the year 1866, I believe.

112. What fine was paid on the renewal?—95*l*. 16*s*. 6*d*., including expenses. The fine was 92*l*.

113. What was the annual rent previous to the renewal?—10*l*. or 12*l*., I believe, but I do not remember, at the moment, the exact amount.

114. Is it the same now as it was previous to the renewal?—It is.

115. Up to what time was the new lease to run?—Forty years from the year 1866

116. Do

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116. Do you know what is the area of the premises?—I do not; but I will put in a report thereon. (*Vide Appendix.*)

117. Are you bound to keep them in good repair, and to deliver them up to the Dean and Chapter in good repair?—We are.

118. Does not some other officer of the corporation, besides Mr. Hodgson, reside on the premises?—No one else resides on the premises.

119. Has the Bounty Board the power to grant superannuation allowances to officers who reach a certain age, or who become incapacitated for further service?—As clerks we have always thought so, but it is probable that if three or four gentlemen at once sought superannuation, so as to give rise to a large demand upon the charitable funds under the administration of the governors, they would take the opinion of the Attorney-General or Solicitor-General, as to their power to grant such superannuations.

120. As a matter of fact, has any superannuation allowance been granted other than those mentioned in the Act of the 1st Victoria?—I mentioned a short time since, that I remembered a case in which the governors had, for the good of the office, granted a superannuation. A grant was made to a gentleman of the name of Glanfield of 200*l.* a year, which he received, to my knowledge, for several years.

121. Was he then very much advanced in life, or what were the circumstances under which the annuity was granted?—It was before I entered the office, but the tradition was that he was past his work, when pensioned.

122. Do you remember how many years' service he had given the governors?—I never heard.

123. As regards the secretary and treasurer, is that a life appointment?—It is during the pleasure of the Crown. It is an appointment held under the Crown; it is a patent office.

124. *Chairman.*] It is under the Charter, is it not?—It is under the Charter, but it is in the gift of the Crown.

125. *Mr. Powell.*] With regard to the secretary's office, are the appointments of the senior clerk and of the junior clerk life appointments?—They are understood to be so, except for misconduct.

126. As regards the cashier and accountant, the assistant cashier and accountant, and the four clerks and bookkeepers in the treasurer's office, what is the tenure of those offices?—The same.

127. Is there no power of dismissal?—We should think it a case of great hardship if we were dismissed otherwise than for misconduct.

128. Are there not many good servants whom it might be a hard case to dismiss, but whose officers are still held subject to a month's or a year's notice as a legal term?—I cannot answer that question.

129. Has the first Charter of the 3rd of Anne been modified, because I see that the first and present secretary is to continue in the office of secretary during the pleasure of the governors?—It was modified by the second Charter of Queen Anne a few years afterwards.

130. Could you read the exact words?—It is at page lxviii of Mr. Hodgson's "Account of Queen Anne's Bounty":—"And whereas the governors of the said corporation have likewise

humbly proposed to us, for our royal approbation, several rules and constitutions for the better rule and government of the said corporation: now know ye, that we have fully taken all and singular the premises into our royal consideration, of our especial grace, certain knowledge, and mere motion, have directed and appointed, and by these presents do direct and appoint, that the present secretary and treasurer of the said corporation shall not continue in their said offices during the pleasure of the said corporation, but shall from henceforth continue and remain therein during our pleasure. And further, that as often, as it shall happen that either of the said offices shall become void, the nomination and appointment shall be in us, our heirs and successors, and not in the general court of the said corporation."

131. As regards the summoning of the governors to the general court, are summonses or notices sent to all the governors, or only to certain selected governors?—To all the archbishops and bishops, and a notice is sent to the swordbearer of the Lord Mayor and Corporation of London.

132. How are the other governors dealt with as regards notices?—I remember that, in Mr. Hodgson's former evidence before a Committee of your Honourable House on this point, he mentioned that when he succeeded to office he found that it was usual to summon only those whom I have now named, and any other governors who wished to be summoned; and therefore I believe that the practice has been continued to the present time of not summoning the lords lieutenant of counties, or the Speaker of this House, or any of those governors who hold office merely perhaps in right of their position, and who would not, unless they had some reason for attending, wish to be summoned.

133. Are these summonses sent out once a year in the form of cards, for example, containing a list of meetings, or are they sent out for each meeting?—A card is sent out once a year, and to those governors who are not away from London a special notice prior to the meeting is also issued.

134. Have you a list of the governors other than those classes whom you have named, to whom notices are now sent, according to their request?—I have not. Adverting to what I previously mentioned, in answer to a question of the Right Honourable Chairman, I said that I was not aware of any other local governor having required to be summoned, but other governors would be summoned if they desired it.

135. Will you send in a list of those who do desire it; to whom you would send notices for the next meeting, for instance?—I do not think there is such a list, but if there is I will produce it as part of the return of the governors' attendance. (*Vide Appendix.*)

136. As regards the committees which you have named, do they perform functions of themselves, or do they merely prepare the work for the general court?—The committee which I mentioned was the benefaction committee; they go through the cases with more time and care than the general board could give to them, but they perform no separate and independent function.

137. The

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137. The list then, as examined and settled by them, is sent up to the governors, and the formal approval of it, and action under it, is taken by the general court; is that so?—Quite so.

138. And there are no functions at all discharged by this committee other than work of a preparatory character?—Just so.

139. Does the general court, or a committee, examine the correspondence, or do they take the facts as laid before them by the officials?—The facts contained in the correspondence are scheduled; and I apprehend that, unless there is any particular wish on the part of the committee to have the whole of the correspondence read, the facts as scheduled are assumed to be correct, according to the statements contained in the correspondence, and are adopted by the committee without the formal reading of the whole of the correspondence.

140. Do you remember cases where the file, affecting any matter in hand, has been sent for?—Yes.

141. Supposing that any person in correspondence were to write a letter complaining of treatment, or of delay, would that letter, making such a complaint, of necessity be laid before the governors?—I am quite sure that Mr. Hodgson would so lay it before them.

142. You think that he, as a conscientious servant, would feel it to be his duty to submit such a letter to the governors?—Undoubtedly he would. Although Mr. Hodgson, I may say, is a very able man, he always shrinks from taking an undue amount of responsibility.

143. You stated that the quorum of the committee was a smaller number than five, five being the quorum of the general court; what is the quorum of a committee?—Two; or any number would form a committee when there is not a general court. I meant this Committee to understand from that remark that, if there is an insufficient number present to form a general court, the governors present, whether they be two, or three, or four, would still think it right, as they had been specially summoned to form a court and transact the business, to adjudicate upon the business which had to be decided at the meeting of that day, and to lay the results of the meeting for approval before the next court of the governors.

144. Does the committee meet regularly?—This committee would arise accidentally, from an insufficient attendance to form a quorum on the usual board day.

145. Is there a regular time for the sitting of the ordinary committee?—Yes, it is fixed by the Charter to be held once a year, just after Easter, to give away the accumulated fund of the previous year's receipt of first fruits and tenths.

146. Then it amounts to this, does it not, that a committee meets only once a year, and that if it so happens that the governors do not form a quorum, those present act as a committee for the day?—Exactly so.

147. Does that miscarriage frequently occur?—During the past year it has occurred oftener than usual.

148. Could you state the number of times when the court has failed to form a quorum?—

The minutes would show it, if it were required.

149. Will you add that to the return which you are to furnish?—I will. (*Vide Appendix.*)

150. Do you find that the same persons attend the general court, or have you a very fluctuating assembly?—My attention has never been called to that fact.

151. Could you name two or three governors who, if asked to do so, are sure to be there according to their usual habits?—The Archbishop of Canterbury is always there.

152. Could you name any bishops who are noted for their regularity and punctuality of attendance?—I might name the Bishop of Oxford, and the Bishop of Winchester used to take a very great interest in the Bounty Office until he was laid aside.

153. Is there any layman of eminence who is regular and punctual in attendance?—Sir Travers Twiss comes sometimes.

154. Do the Chancellors of the Universities attend?—I do not remember their coming.

155. Mr. *Newdegate*.] Practically, if there was a non-attendance of a sufficient number of your governors to form a quorum, would not those present be considered to form a committee, who would proceed with the business, subject to the review of the next meeting of the full board?—That is so.

156. Is that proceeding by the committee independent of the regular committee appointed by the general board?—It is.

157. In fact, does that describe the mode of proceeding so as to save time?—Quite so.

158. It appears, as stated in your previous evidence, that the general board consists of a large number of persons?—That is so.

159. Has practical inconvenience been felt from an excessive attendance of governors?—Never.

160. But at the same time any governor would have a right, if he chose, to attend upon any particular business, would he not?—Undoubtedly.

161. Would there be any inconvenience from his not having received a previous summons?—Not any.

162. Practically, when questions of law arise, do not the legal governors attend, such as Sir Travers Twiss, for instance?—The corporation being a very old one, I scarcely remember any difficult legal question having arisen.

163. But should any legal difficulty arise, would not the legal governors, as far as you know from their previous practice, attend?—Undoubtedly.

164. You state that the attendance of very large numbers is not common on the board; may not that have arisen from there having been very few cases of local grievance?—I think it most likely has so arisen; but possibly the bishops, who are the acting governors, have had many other duties to attend to, especially during the last two sessions, so that if the return of the board meetings should come out a poor one, I think there have been special reasons which have affected the attendance of the governors, and have caused the boards to be less attended in point of numbers than they used to be.

165. Have

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165. Have you had any special local grievances complained of?—I do not remember any.

166. Is not the constitution of the board such that it consists of a very much larger number of laymen than of ecclesiastics?—Undoubtedly. The ecclesiastics are very few compared to the number of laymen.

167. If any grievance were to arise among the laity, would not some representative of the laity be entitled, as governor, to attend?—Yes, and no doubt he would do so.

168. Have you known instances of local cases represented by governors who do not generally attend?—I cannot recall to my mind any instance of any local grievance being specially represented by a local governor; but I think it is a very wise provision in the Charter, if it was so intended by Queen Anne, to meet the occasion of any local grievance, that it could be thus represented at the board.

169. Is not provision made by the constitution of the board for such attendance?—It is so.

170. I gather from the evidence you have given, that the secretary and treasurer, who holds also an office connected with the Tenth and First Fruits, is virtually appointed by the Crown?—Undoubtedly.

171. Is the office held during pleasure?—It is an office held under the Crown during good behaviour, probably the same as the judges.

172. Are you aware of the constitution of the Ecclesiastical Commission, and of the number of their staff?—I have for my own information looked to the Reports presented to Parliament relating to the Ecclesiastical Commission for England.

173. Are you prepared to express an opinion as to the size of the staff of the Bounty Board, which you have stated in your evidence to be a small establishment, as compared with the staff of the Ecclesiastical Commission?—I think the staff of the Bounty Board is a small staff as compared with the staff of the Ecclesiastical Commission; because the number of their staff, as recorded in the public books, is certainly five times, or more than five times, as large as ours.

174. The special object of this organisation is to deal with the poorer and more numerous livings of the country, is it not?—Undoubtedly it is.

175. And therefore the business of the office necessarily runs into great detail, does it not?—It does so.

176. And yet you are not aware that the system upon which that business has been conducted has led to confusion?—Quite the contrary.

177. Is there not a power in the board to appoint committees to deal primarily with any special cases, whether local or exceptional, from other circumstances, and then to report to themselves?—There is that power under the charter.

178. And have they not a wide selection of members to form those committees, owing to the constitution of the board?—Undoubtedly so.

179. They might appoint a committee of legal governors exclusively, might they not?—Undoubtedly.

180. Have you any reason to doubt that the legal governors would serve, if so appointed?—I have not any reason to doubt it.

181. That, in short, is a reserve which is available, is it not, owing to the nature of the constitution of this board?—It is to me a new line of thought; but it is quite clear under the charter that the lord lieutenant of a county, a justice of the peace, and the mayor of the corporate town, could be chosen in any locality of England, and formed into a local committee.

182. You have not answered my question; but you have anticipated a question which I intended to put; that is a manner in which a local question might be dealt with, is it not?—Undoubtedly so.

183. But I put the question as to a legal point; if the governors were in doubt upon a legal point, might they not appoint a committee of their own body, consisting exclusively of the legal members of the body?—Undoubtedly they could.

184. Is not that a very great power latent in the constitution of the board?—It is a very great power; and, under some circumstances, if I might give an opinion, I think it might prove a very useful power.

185. May it not have happened that, owing to this corrective power in the constitution of the body itself, many legal lapses have been avoided and local grievances prevented?—I think so.

186. May not that circumstance account for your answer that you do not remember local grievances having arisen in many cases?—I think it is so.

187. Do you not consider that there are, in the present constitution of that board, elements of internal improvement, and elements for meeting almost any emergency likely to arise out of the business committed to them?—I think so.

188. Mr. *Schreiber*.] You stated that the board sits monthly, except during the recess; do you mean the Parliamentary recess?—The Parliamentary recess.

189. Then, when Parliament is not sitting, does not the board sit at all?—There are no meetings held during September and October. There is one at the beginning of August, and there will not be another until November.

190. Then the board does sit when Parliament is not sitting?—Yes; it is rather the legal recess than the Parliamentary recess, the long vacation, as it is termed.

191. Then we must not understand you to mean the Parliamentary recess?—No, not to the letter, but it is often so in experience.

192. With respect to those committees whose labours come under the revision of the board, do they sit throughout the year?—No; they are not called together as committees at all. They are summoned to meet as a board, and it is only when there are not a sufficient number to make a full quorum, that they are termed a committee.

193. Then it is only the failure of attendance which constitutes a committee, in fact?—Except the benefaction committee, to the especial duty of which I before adverted.

194. You stated, did you not, that you would endeavour to ascertain the number of members of the corporation?—I am to do so.

195. The health of the Bounty Office seems to be remarkably good; is it in your experience, that it is unusually good, as compared with that of other public offices?—Since I have been there,

which

Mr. which is not quite 30 years, I have known three
J. K. Aston of the men, my seniors, die.

S. Dunning. 196. At all events, if it is unusually good, it
is not because the work is unusually light, in
your opinion?—Certainly not.

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197. Mr. Akroyd.] What are the average annual payments of your office?—330,000*l.*, as appears by a Paper of this Session, No. 326—1.

198. What percentage were the expenses of your office upon the total receipts?—The total receipts for the year 1867, as there recorded, come to 332,644*l.*

199. To what did the expenses of the office amount?—The expense of the office, as set out on the opposite side of the account, if taken against the receipts only, would be $2\frac{1}{2}$ per cent.; but if, as some gentlemen might wish to put it, you looked at the disbursements as well, inasmuch as the receipts are collected on the right hand, and disbursed to livings on the left, it would reduce the amount to $1\frac{1}{2}$ per cent.; but taking it in the ordinary mercantile way, on the total receipts only, the expenses would be $2\frac{1}{2}$ per cent. on the 332,644*l.*

200. Have you any idea of what the expense will be of the Ecclesiastical Commission on the receipts?—I feel a little difficulty in answering that question, because I scarcely know where it might lead one; it would involve a very careful analysis of the 20th Report of the Ecclesiastical Commission; but I have a general impression that the proportionate expenses would be considerably in excess of the recorded charges relating to Queen Anne's Bounty.

201. Besides the correspondence to which you have referred, as part of your duties, have you many callers at the office?—Yes; we have a fair number in each of the three departments, but not so many as from the extent of the business might be anticipated.

202. What would be the average number of calls per diem during the season?—As a mere guess, if I may so give it, though I think it would approximate to the truth, for the three rooms, I should think the average daily number would not exceed 14 or 15, all the year round.

203. However, those calls would absorb some of the time of the office, I presume?—They do so. I should like to add that most of the business is monetary business, and flows into the office by post, or through the agency of bankers, and the money goes out to the clergy, chiefly in the same way. During the months of pressure, April and October, when we pay our chief half-yearly dividends, a good many clergymen come; but when you come to divide them over the 313 working days of the year, it would very much reduce the average all the year round.

204. Mr. Monk.] Do the Deans of St. Paul's and Westminster attend the board?—The Dean of Westminster is not a governor under the Charter. The Dean of St. Paul's attends occasionally.

205. Is he summoned?—I am not aware that he is; I cannot answer the question with certainty.

206. Practically, is it not the case, that the lay element is scarcely represented on the board?—Practically, it is not represented in attendance. It is on the board, but the lay members are not there when the board meets.

207. Are any of the lay members ever summoned?—The Corporation of London are regularly summoned by their own express wish, and at the last board we had an alderman present.

208. Chairman.] Was there anything particularly interesting to the City of London at that board?—There was something particularly interesting to the governors at that board.

209. Did the secretary ever practise as a solicitor, on his own account, while he was secretary?—Yes; when he first held the office of secretary only, he was secretary to the then Archbishop of Canterbury, and he practised as his solicitor.

210. Did he transact all the archbishop's professional business for him?—I believe so, and he had some other episcopal engagements in connection with his professional business.

211. Mr. Newdegate.] Which archbishop was that?—That was Archbishop Sutton, I think.

212. Chairman.] Was that given up when he became treasurer also, or did that continue?—When he succeeded to the treasurership, he was required to give up some of his private business; but a certain amount of it he was allowed to retain.

213. Was it upon an examination into the character of his business by the governors, that they would not allow him to retain it?—I have been informed that it was so.

214. Does he still act as solicitor to any of the episcopal bench?—I think the only appointments now held by him, except in connection with Queen Anne's Bounty, are those of clerk to the Dean and Chapter of St. Paul's, and steward of certain manors under the See of Canterbury.

215. Is that business transacted at the Bounty Office, or has he a separate professional establishment in another part of the town?—It is conducted in the private part of the governor's house.

216. That being the house of the Bounty Board?—As we understand it, we are to have as much room as we require, and the rest is the secretary's.

217. But whatever is done in that way is done at his own private house, which is the house of the Bounty Board?—Undoubtedly.

218. Has he clerks of his own there?—He has clerks of his own.

219. How many clerks has he there?—Two, I think, is the number.

220. Has he any professional partner?—He is assisted by a nephew; but I have never seen any announcement of there being "Messrs. Hodgson and Lee," or anything of that kind.

221. Is that the gentleman who is secretary to the Bishop of London?—It is.

222. Does he come there to conduct the business of Hodgson at Mr. Hodgson's residence?—He does so.

223. Mr. Newdegate.] But practically, except in the two cases which you have mentioned, has Mr. Hodgson's former private practice for many years been worn out?—It is nearly worn out; for many years, he has given up all his appointments, except those which I have mentioned.

224. Chairman.] You have spoken to one of the honourable Members of the Committee of the large amount of 332,000*l.* which you received that appears on this Account, No. 326-1, which has

has just been presented to the House, does it not?—It does.

225. *Mr. Powell.*] With regard to the meeting of the governors, could you approximate to the average number of hours during which the board of governors are assembled?—Their meetings are usually short.

226. Could you give an estimate of the average length of attendance at an ordinary meeting?—It depends upon the extent of the business, but the matters to be decided are usually those which give rise to no debate; and therefore I should say that the average would be a very brief period.

227. Would an hour be in excess of, or below, the average length of attendance?—I should think that two hours would probably be the average time.

228. Would you give the same time for an ordinary meeting of a committee?—Yes; about the same time.

229. What members of the staff are present at the meetings?—I am not present, which may account for a little hesitation in answering some of these questions. *Mr. Hodgson* is always there, and the assistant secretary is there, it being secretarial work. The accountants are sent for when any questions of finance require explanation.

230. Is the solicitor ever in attendance?—He is constantly in attendance.

231. Is he in the room during the whole sitting, or only in case of his services being required?—During the whole sitting.

232. *Mr. Cavendish Bentinck.*] You stated just now, in answer to the Honourable Member, that those meetings are conducted with but little debate. I presume that the cause of there being so little debate is that the practice and rules under which the funds are administered are so well settled?—Quite so.

233. Therefore, the applications come in, and they are determined according to those rules and according to that practice?—That is so.

234. And hence debate is unnecessary?—That is so.

235. *Mr. Beresford Hope.*] The benefactions are within very narrow limits, are they not?—They are within very narrow limits.

236. *Chairman.*] On the second page of Paper No. 326-I, which is a return moved for by the Honourable Member for Whitehaven, the cash account for the last year appears, does it not?—Yes.

237. After the balance, the first item in that is, "First fruits and tenths, 14,521*l.* 7*s.* 10*d.*," is that practically pretty nearly the extent of your free income, deducting whatever expenses may be charged against it for collecting, and so on?—That is nearly the whole of the gross free income.

238. It is the balance of that, after deducting the charges of collection and administration, which you have to distribute every year in the way of benefactions, is it not?—Exactly so.

239. Does that arise from ancient sources of revenue which Queen Anne's Bounty Board was constituted to administer?—It does.

240. Then, the next item is, "Benefactions (exclusive of the value of lands, hereditaments granted, and 300*l.* Bank Annuities transferred to the governors) for the augmentation of livings, (0.33.)

10,835*l.* 16*s.*" On the receipt side are the sums which have been contributed in the course of the year to meet grants out of the first fruits and tenths, is that so?—That is so.

241. The board, it is understood, now never make a grant out of their income, except to meet a benefaction, is that the practical rule upon which they act?—As a general rule, that is so; but there are exceptions to that rule.

242. Have there been departures from that rule in the course of the last few years?—There is one departure, stated on page 8 of this account. It is the last case (it happened to come alphabetically at the end of the list), namely, *Wymondley Parva*.

243. In that case you granted 200*l.*, did you not?—Yes, without there being any benefaction; and I think that I am right in saying that there was another case at the last board, since this account was compiled.

244. That is very unusual, is it not, according to the recent practice of the board?—A short time since a return was prepared by *Mr. Hodgson*, in which he stated that 7,000*l.* or 8,000*l.* had been so given away.

245. Within what period?—Within 30 years.

246. But how much has been so distributed within the last 10 years?—Probably about a fourth of that sum.

247. Has that return been before the House?—It appears in a Parliamentary Paper which is before your House.

248. Speaking generally, those grants without a benefaction are very rare exceptions of late years, are they not?—Undoubtedly.

249. Formerly you used to grant them by lot, I believe?—Yes, but that practice ceased prior to the former Select Committee on Queen Anne's Bounty.

250. At that time some livings got a great many lots, did they not, from the fortuitous nature of the proceeding?—I do not know as to that.

251. *Mr. Newdegate.*] The practice of grants not to meet benefactions, which may be called uncompensated grants, ceased by your board on the transfer of a large amount of capital to the Ecclesiastical Commission, did it not?—I am not aware that the two circumstances had any connection.

252. Was it, previously to that transfer, more common to make grants not to be met by benefactions?—It would probably be so in point of time.

253. But in point of fact, was it not more frequently the habit of the Bounty Board to make grants not to be met by benefactions previous to the loan which they made to the Ecclesiastical Commission?—I imagine that the governors would fail to trace any connection between the two facts, viz.: the fact of the loan and the change in the mode of their way of augmenting. Their augmentations have been regulated from time to time by sign manual, and the loan to the Ecclesiastical Commissioners was a separate thing.

254. *Chairman.*] What was the date of that loan?—One thousand eight hundred and forty-three. It was a separate and independent transaction, which, so far as I am aware, has had no influence whatever upon the practice of the governors

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Mr. J. K. Aston and Mr. S. Dunning. governors with regard to their mode of augmenting the poorest of the benefices.

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255. Did it not produce any change?—Not any.

256. Of course it diminished their power?—Yes, in monetary capital.

257. Is that the paragraph to which you referred in Mr. Hodgson's return—(*handing a paper to the Witness*)?—It is; on page 4 of Sessional Paper No. 331. "Since the year 1836 the governors have appropriated nearly the whole of the moneys at their disposal in making grants to meet benefactions, as they consider they were fully authorised to do by the rule of that year, but they have in some instances exercised the discretion given to them, and have since that date made grants without receiving benefactions, to the extent of 8,600*l*."

258. That is in 30 years, is it not?—That is in 30 years, and this year they have made two augmentations, each of 200*l*.

259. But still those are rare exceptions, are they not?—Undoubtedly they are.

260. Probably during those 30 years the governors have dispensed 300,000*l*. in grants out of first fruits and tenths, more or less?—They have; the number of livings below 50*l*. is now very much smaller than it was in the earlier years of their power.

261. There have been considerable complaints on the part of a portion of the clergy, have there not, that none, or very few, free grants were made?—There have been such complaints, which are fully before this House in this Paper No. 331, in continuation of No. 85, Session 1866.

262. That Paper contains Mr. Hodgson's final answer to that complaint, does it not?—Sir George Grey considered it final.

263. You are in the habit of giving only 200*l*. as a benefaction, are you not?—Yes, to meet any benefaction, however large the amount.

264. But you do not give a less amount, do you?—There is a power to give a less sum in the case of a residence house application. Where it is intended to apply the grant and the benefaction in or about a residence house, then the governors have power, under a recent rule, to grant only 100*l*.

265. What is the date of the rule?—It is the 19th Victoria, the 4th of February, 1856.

266. Do you then limit yourselves to one grant of 200*l*., or do you give accumulating grants of 200*l*. in the same year, or in following years, if a living is fortunate enough to find favour with the governors?—In the same year only one grant is given, unless the living is under 50*l*., and receives an augmentation without lot to make it up to 50*l*. Then, if it came with a benefaction, it would be eligible for another grant in the same year. It is quite open to the patron or the incumbent, or whoever may take any interest in any living, to make repeated applications.

267. Are repeated benefactions entertained as if they were entirely fresh applications?—Undoubtedly; but the effect of further benefactions and grants, of course, is taken into account as having improved the annual income, and therefore if the living had to compete with another living of less value, its chance of a further augmentation would be less than that of the living which had never received augmentation.

268. £200 is the maximum income of the living which you augment, is it not?—It is; the governors have no power to augment any benefice, the net income of which exceeds 200*l*.

269. The committee upon this subject, I understand, meet and consider the relative merits of all the different applications which have been brought before the board in the course of the previous few months?—They do so, and the cases selected by them this year have been moved for by this House, and are contained in Paper No. 326-I.

270. There is a return of the names of the livings, is there not?—There is a full return of the livings selected and approved. Some of the cases have been since completed, and we expect the rest will be completed during the course of the year. On page 7 of the Return of the Honourable Member for Cambridge (Paper 326) the completed cases for 1866 are recorded. In Paper 326-I., the current cases are reported.

271. You state that you do not attend at the board; but are you able to speak as to the practice of the board with regard to apportioning those grants in exchange for benefactions?—I think that I can.

272. What is the rule upon which they select one set of cases rather than the other; is it the poverty of the living, or the population of the parish, or what are the circumstances which guide them to select some cases rather than others?—This year, I believe, I am correct in stating that they have been able to approve of all the applications which have been sent in to them, and to agree to meet all the applications, so that it was tolerably easy work.

273. Mr. Cavendish Bentinck.] Are those benefactions?—They are benefactions.

274. Chairman.] In many of those cases the object of the benefaction is to build a parsonage house, is it not?—In the greater part of them that is the case.

275. And those applications are very frequently concurrent with similar application for the same object to the Ecclesiastical Commission, are they not?—I know of no rule to prevent concurrent applications to the two boards; but there must be a separate and independent benefaction offered.

276. But may not the two applications be made with the same object, and very much the same course of proceeding?—There must be a separate and independent benefaction rendered to each board.

277. You, having granted your benefaction, would retain the money, and I presume it is drawn out on certificate by the architect when it is for a parsonage?—When it is for a parsonage, the incumbent selects his own architect, subject to the approval of his bishop; the plans are sent up to the office, and they are approved by the governors, upon their being certified by the surveyor employed by the office that the specification is right and proper.

278. Are they all submitted to a surveyor?—They are all submitted to a surveyor, and then the permission to commence the works is given: the house is proceeded with; and upon a certificate from the architect that the works, in part or wholly, have been performed, conjointly with

a request from the incumbent, a cheque for the payment of the money is issued by the board.

279. Do you require more than one set of plans to be deposited with you for a parsonage house under benefaction?—Only one.

280. Is only one set of plans required to be prepared by the architect for your use?—Only one.

281. Has there been any complaint of the expense and inconvenience of that, by any incumbents that you are aware of?—Not that I am aware of. If the case is also going on with the Ecclesiastical Commission, a set of tracings would be accepted by the Bounty Board from the plans submitted to the Ecclesiastical Commission.

282. Then if the money which you grant as a benefaction is not appropriated for investment in a parsonage house, do you impound it and keep it in trust for the living?—The amount of the grant is carried to the credit of the living in an account in the governors' ledger, and the rate of interest that may have been ordered by the board is paid to the incumbent half-yearly.

283. That adds to your capital in hand, and increases the first item of the account on the other side, "interest and dividends on appropriated money and stock," I presume?—Exactly so.

284. Then taking the next item, "free gifts and casual sums in favour of benefices"; those, I presume, are presents that you have received from benefactors?—They are.

285. Then the next item is "church discipline penalty"; that, I presume, is a payment under the Church Discipline Act which is destined by Act of Parliament to the augmentation of poor livings, is that so?—It was paid in by order of the bishop who recovered it, under the Church Discipline Act, in aid of the general fund.

286. *Mr. Beresford Hope* (to *Mr. Dunning*).] Was it a free gift of the bishop in question?—I should think it was.

287. Have you any power of receiving statutory penalties?—Under the Pluralities Act there is a direction that penalties shall be paid to the governors of Queen Anne's Bounty in the case of a living put under sequestration; and at the end of the sequestration in this case there was this sum in hand, and the bishop did not clearly know what to do with it, and so he paid it over to Queen Anne's Bounty. There was no good object to be done in returning it to the living.

288. (To *Mr. Aston*.) What is the difference between a free gift and a benefaction?—A benefaction is where the governors have agreed to make a grant. A free gift is something that some private person out of pure benevolence wishes to annex to a particular living, and we are empowered to accept such sums, or lands, in trust.

289. *Mr. Newdegate*.] Is there any limit as to the value?—There is no question as to the value of the thing. We take what is given without troubling the donor for a surveyor's valuation.

290. *Mr. Cavendish Bentinck*.] Does the expression "lands and hereditaments" mean lands and hereditaments granted by the benefactors?—Just so.

291. *Chairman*.] The next item is, "Produce of various sums of stock sold"; those are part of your stock which you have to sell to meet

demands for cash from time to time, I presume?—Exactly so.

292. Then on the other side I see, "Purchase of various sums of stock, 92,050*l.* 15*s.* 1*d.*"; will you explain that?—That is the investment of surplus cash in hand at any particular time; or the investment of particular sums of money received in trust, arising from the produce of lands, or anything that may be sold.

293. Who are the bankers of the board?—Messrs. Coutts & Company.

294. What is the floating balance that they keep?—There are two accounts with the bankers; one of which is applicable to the payment of all income due to the clergy, and also to the expenses of management; and the other account is applicable to all payments of capital, and it receives everything, be it income or capital. The floating balance on the income account must never exceed 5,000*l.* or thereabouts.

295. What is done with any balance above that amount; is it put on the deposit account?—No; it is only replenished with a sum of 5,000*l.*, as it gets down to almost a minimum, and then the other account contains the general balance, which on the average would probably be from 5,000*l.* to 7,000*l.* In the summer time it is rather more than that, because there are large sums then going out for loans to the clergy, for the erection of residence houses under Gilbert's Acts.

296. Do the bankers receive all your dividends?—They receive all our dividends.

297. Do you give them a power for that purpose?—We give them a power for that purpose, and they also sell all the stock.

298. Are those dividends put down to the income account?—Everything goes into the general account.

299. Then do I rightly understand that you transfer from the capital account to the drawing account, as you require cash?—For payment of income.

300. For payment of certain *cestui que trusts* that require payment from you?—Other than sums of capital.

301. What is the procedure by which you sell out stock to meet current engagements?—The governors seal a power of attorney to Messrs. Coutts & Company to sell out 10,000*l.*, or any sum not exceeding 10,000*l.*

302. Is that upon a certificate from the secretary that he requires it?—Such a power is always kept ready for use, or in actual use, because at any time it may be necessary to act under it.

303. Do you mean that Messrs. Coutts have in their hands a current power to sell 10,000*l.* stock?—They have, and when one is nearly exhausted it is the duty of the secretary to seek a fresh power, and to have it ready.

304. Is that power executed under an order of the board?—It is executed under the common seal of the governors. Then supposing 5,000*l.* to be required to replenish or assist the general balance, for the purpose of mortgage loans, or payments of capital, the secretary and treasurer, under the direction of the archbishop, who gives an order to Messrs. Coutts & Co. to take the instruction of the secretary upon the power, writes a letter to them to request them to sell sufficient

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stock to produce the 5,000*l.*, which is then by them placed to the credit of the general account of the governors.

305. Is that what may be called the drawing account?—No, the general account.

306. Mr. *Newdegate*.] In what capacity does the archbishop act?—As chairman and president of the corporation.

307. *Chairman*.] Is that in conformity with the written rules of the board, or is it merely the common practice?—There is a set of what we term the banking rules, which, if the Committee wish, can be handed in.

308. Will you hand in those rules?—I will do so; they were revised only two years since. (*The same were delivered in, vide Appendix.*)

309. Are those rules prepared by the solicitor in consultation with the treasurer?—They are. The Sign Manual of 20 March, 1831, gave the Governors liberty to employ a banker. These new rules were carefully revised by the solicitor, auditor, and banker, before the secretary and treasurer submitted them to the board.

310. I understand that the treasurer has a drawing account of 5,000*l.* to meet current demands?—Just so.

311. Is that 5,000*l.* replenished from time to time as required?—As required, on the auditor's certificate, but the cheques on that account are signed jointly by the treasurer and one of the accountants.

312. Mr. Hodgson gives security also, does he not?—Mr. Hodgson gives security for a large sum, and the governors require the two accountants to give security.

313. Then the next item after the produce of sums of stock sold is, "Dividends on Government funds standing in the name of the Governors"; are those the dividends upon the trust monies which you hold for the various trusts committed to the board?—Just so, upon the balance of stock so held.

314. Which have been upon previous grants appropriated?—Yes; or which have arisen from the sale of church property.

315. But they all have a trust impressed upon them, and you have but to deliver the proceeds; is that so?—Yes.

316. Then come "Dividends on Bank Annuities advanced on Mortgage"; does that contain the interest on the advance of 600,000*l.* to the Ecclesiastical Commission?—That is the sum received from the Ecclesiastical Commission.

317. When is that principal sum repayable?—The Act was dated 1843, and the advance was for 30 years, so that it will be repayable in the year 1873, by instalments, if I remember right.

318. Mr. *Powell*.] Is it only repayable if the governors call for it?—I think it may be considered repayable in any case; if I remember the Act aright, it was permissive on the part of the commissioners to pay it at any time within the 30 years.

319. *Chairman*.] That is charged upon their general estates, is it not?—It is.

320. That was appropriated for the purpose of endowing livings under what is commonly called "Peel's Act," was it not?—It was lent by the governors for that purpose under the Act of 1843.

321. Then what are "Dividends on Bank Stock"; are these trust monies?—They are trust monies under what we term an endowment trust.

322. Then the next item is "Dividends on Railway and other Property"; do you accept railway and other miscellaneous securities as trustees?—The governors have accepted railway and other property as trustees; they have never bought any, but they have taken to it when it has been tendered to them.

323. Has any rule been passed by the board with reference to that?—I am not aware of any rule having been passed on the subject.

324. As regards "Interest on Monies advanced on Mortgage under the Acts called 'Gilbert's Acts,'" is that interest upon what you advance for building parsonage-houses?—Yes; including also a few sums that may have been lent to one or two of the bishops, but they are all in respect of residences; except under an Act of 1865, which gave power to lend where the incumbent was liable for the fabric of the chancel, of which there have been a few cases.

325. Are these amounts repayable by instalments with interest?—They are.

326. Have you not of recent years raised the rate of interest that you charge?—There is no power to make it more than 4 per cent.; there is a kind of scale, determining the rate of interest charged, by the value of the living. Where a living exceeds 300*l.* a year, the rate charged is 4 per cent.; where it is less than 300*l.* a year, the rate of interest charged is 3½ per cent.

327. The rate was raised to 4 per cent. not very long ago, was it not?—It is a good many years since it was raised to 4 per cent.; but there was a modern alteration. Livings of 350*l.* a year used to pay 3½ per cent. only, and the last alteration was to make all livings of 300*l.* a year pay 4 per cent. That comes out in a paper that was presented in the year 1866, which was moved for by the Honourable Member for Cambridge; and in the same Member's further paper of this year, No. 326.

328. Those advances, by way of mortgage, are all repaid by instalment, are they not?—They are repaid by instalments. The first year there is no instalment payable; the second year a 30th part of the sum lent becomes returnable to the office, so that the mortgage extends over a period of 31 years.

329. With respect to those cases, are they managed in the Bounty Office, or by the solicitor?—The applications are referred to the solicitor.

330. Does the application at first go to the solicitor?—It may be made by the clergyman direct to the solicitor, or if it is sent to us we refer it to the solicitor, who gets out the facts; and then the facts are submitted to the governors; and the solicitor prepares the deed and counterpart, and carries it out to completion; and then the future collection is a duty which falls upon the treasurer.

331. Do you collect the instalments and interest?—We do up to the time when they fall into arrear, and then we leave them to the solicitor, and he thereupon presses for payment, if required.

332. Are those payments made pretty punctually?—

tually?—Very punctually indeed. I think surprisingly so, considering the number of cases.

333. Is this figure of 100,000*l.* anything like the ordinary amount?—It has increased a little, I think, during the last few years.

334. Is there not a profit to the board from this interest?—There is.

335. What is the amount of that?—It is about 4,000*l.* a year; and that, we say, pays more than the expenses of lending the money, and taking charge of the trust funds shown on the other side of the account. The profit falls into the general fund.

336. The next item is "Endowment Trust Monies, exclusive of the Value of Land granted, pursuant to Acts of Parliament." Are those special trusts?—They are special trusts for the benefit of particular livings. Many of them are original endowments before a church is consecrated. Others may be the transfer of a fund already in the hands of private trustees, who wish to get rid of the trust, and they transfer it to the governors under the Act.

337. Then there is an item, "Produce of Sales by virtue of Acts of Parliament." You are the recipients of the produce of those sales, under those various Acts of Parliament set out in your memorandum, are you not?—We are.

338. Do these go into your trust funds, or are they appropriated for particular objects, and do they go out again?—They are trust funds from the time of their receipt, but there is power to refund them for the benefit of the particular livings in respect to which they are received.

339. The next item is "Tithe Rentcharge Redemption Monies"; what is that?—Under the Tithe Acts there was power to redeem small sums in the first instance; and more recently, under an extended power, where the original tithe rentcharge sum becomes subdivided and difficult of collection, owing to the land having become building land, the parties interested in the land by arrangement with the Tithe Commission agree, under the Act of Parliament, upon the amount to be paid in redemption of the charge; and under the Tithe Acts the treasurer to the governors is made the receiver of the funds in trust for the particular livings in respect of which the tithe rentcharges are redeemed.

340. That, then, probably is a gradually accumulating account, is it not?—It is a comparatively modern account, and it is of growing importance.

341. Does the same explanation apply to "Copyhold Enfranchisement Monies"?—Exactly the same.

342. "Lady Godolphin's Trust" is an old trust attached to the Bounty Board, is it not?—It was a rentcharge on an estate at Emneth, given by way of benefaction to the governors; under an order of the Court of Chancery, they were asked to receive it from the estate, and to disburse it to the parties severally entitled.

343. Mr. Powell.] You stated, did you not, that the governors met annually to consider grants to meet benefactions?—I did.

344. How often are loans taken into consideration?—They are taken into consideration at each board, and by arrangement of the governors, if there is a number of cases they are taken into consideration by the archbishop or a committee, (0.33.)

between the boards; in fact, whenever there is a fair number of applications to go before the governors they receive consideration, and it is decided whether the governors will make them or not.

345. Suppose that a letter comes in making an application, how is that letter dealt with in the first instance?—It would be acknowledged as having been referred to the governors' solicitor for attention.

346. Would the governors' solicitor take any action, by way of inquiring into the facts, or otherwise, within the province of a lawyer, before the governors entered into the subject?—No doubt he would; but I think the Committee, perhaps, on these matters of detail connected with the mortgages, should take the evidence from Mr. Dunning rather than from myself.

347. From the receipt of an application for a loan up to the time when the loan is complete, supposing that all was found in order, what time would ordinarily elapse?—From three weeks to a month, I should think.

348. Would the money be paid over at the end of that time, supposing that all was in order?—If it was an ordinary case I should think it would be, without any question, paid within that period.

349. And you state that that is the ordinary time occupied by such a transaction?—That is the time occupied by an ordinary transaction.

350. What reason is there why a person in the country should not offer to you a certain sum, asking you to meet that sum by a benefaction, and why he should not the same day write offering the same amount to the Ecclesiastical Commission, asking them to meet the same amount with a benefaction?—If I understand the question aright, it involves the physical impossibility of twice paying away the same sum, supposing that both boards approve of the application.

351. What reason is there why the offer should not be made?—There is no reason whatever why the offer should not be made, but there would be a total inability to complete both offers. If both boards agree to meet the same sum, it can only be paid to one office; but I see no reason, in point of honour or in point of principle, why a clergyman should not try both offices on the same day, and if both should agree to meet his benefaction or the benefaction of his patron, he might make his selection of either office.

352. But supposing that he makes an offer to one office, and that he pays his money to that office, and receives his augmentation, why should he not receive an augmentation from the other office; might he not make use of the augmentation which that sum earned?—I remember seeing a paper relative to the grants made by the Ecclesiastical Commission, and therein it was stated that no sum that was already in the hands of the Bounty Office which had arisen from a benefaction paid to the office could be offered to the Commission as a benefaction.

353. Is there a rule of the Ecclesiastical Commission against that?—There is a rule of the Ecclesiastical Commission against that, and I know that the governors have the same sort of rule against it.

354. Do you not make inquiries of a searching character.

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character, so as to be certain that that is not taking place?—In our own case it would be impossible for it to take place, because the benefaction money having been paid to Mr. Hodgson, and the grant having been added to that benefaction, and the united sum having been appropriated to the living, it is in the hands of the governors; and therefore it would be quite impossible, by any combination of circumstances, for the money to be taken from the office, and presented as a benefaction to the Ecclesiastical Commission.

355. You take the money in trust, and you do not pay it over?—Just so; whether any money has ever been taken from the Ecclesiastical Commission I know not; but certainly in our own office it would be impossible for such a thing to happen.

356. Is there any reason whatever why an annuity granted by the Ecclesiastical Commission to any living should not be made use of as a security on the strength of which they might borrow money from you?—I should say certainly not.

357. Is that an every day transaction?—Quite so. The money so granted forms part of the permanent income of the benefice, and they might go with it to the Bounty Office or to any other lender of money. The power to lend under Gilbert's Act is not placed in the Bounty Office only, but any insurance office or any private party may lend the money.

358. Is it not an ordinary transaction, that in the case of a living receiving augmentation from the Commissioners by way of annuity, the incumbent being anxious to build a parsonage, by giving to you that annuity as security, he gets a capital sum by which means his house is built?—Yes; in the particulars of his income he would specify the annuity which he received from the Commission.

359. Do you find that practically a very convenient mode of building parsonage houses?—It is no essential part of the matter whether he gets his income from tithes or from land, or anywhere else, if he verifies by affidavit that his income is so much. Under the Act, the Governors are empowered to lend any amount not exceeding three years' income of the benefice from whatever source derived.

360. You hold a considerable sum, partly in money and partly in stock, and you are liable to pay certain persons out of that fund, are you not?—We do so, and we are liable to pay to the incumbents of the livings either the annual interest, if the same is in money, or the annual dividend if it is in stock.

361. Do you allow the persons interested in the living, whoever they may be, to convert money held in trust for them into land?—The Governors have power to lay out the money held by them in trust for a living, in land, or in any other real estate.

362. Do you know the rules under which that transference occurs; must the land necessarily be in the parish, for example?—There is a rule amongst the sign manuals which restricts the general power as to investments in land, and I think that, perhaps, it would be convenient if I handed in the charters, and the rules and regulations which are now in force. (*Vide* Appendix.) In the second charter: "The aug-

mentations to be made by the Corporation are to be by way of purchase, and not by way of pension."

363. But what is the rule as regards the question of the investment of money in land?—The practice was to buy any land which seemed likely to afford a reasonable return for the sum to be invested. On the 13th July, 1829, there was a sign manual obtained, and about ten sentences down there are these words: "In consequence of the difficulty of making advantageous purchases of land or tithes, for the monies appropriated out of the said fund to the augmentation of small livings." Then it goes on to empower them to turn that particular fund, which was the Parliamentary fund, into stock. With regard to purchases, by a rule under that sign manual, it is prescribed: "That henceforth it shall not be obligatory on the governors to purchase houses, lands, or tithes, with the sum of money appropriated to any living out of the Parliamentary Grants Fund, or with the Bank Annuities, to be substituted for such sum of money, or any part thereof; but that the governors shall confine themselves to the purchase of houses, lands, or the tithes arising from lands, respectively situate in, or so near to the parish in which the living may be, for which the same shall be proposed to be purchased, as shall be convenient for the occupation of the incumbent thereof; and to the purchase of houses, lands, or tithes arising from lands respectively situate at a greater distance, in such cases where the governors shall be satisfied that an extraordinary advantage may be obtained for the respective incumbents of the livings for which the same respectively shall be proposed to be made, and their successors."

364. That rule applies only to monies arising out of the Parliamentary Grant Fund, or to Bank Annuities, to be substituted for any such sum of money; but does the same rule apply to monies which you hold in trust from other sources?—It does not strictly apply to the Royal Bounty Fund; but it is stated a little lower down, in Mr. Hodgson's account of Queen Anne's Bounty, that—"Though this last rule concerns only purchases with appropriate money, or Bank Annuities, in respect of the Parliamentary Fund, yet the governors since the year 1830, when they increased the rate of yearly interest payable to incumbents of livings augmented out of the Royal Bounty Fund from 2*l.* to 3*l.* 5*s.* per cent., have regulated their proceedings according to the tenor of it, with respect to purchases with money appropriated to livings out of the last-mentioned fund," viz., the Royal Bounty Fund. They also act on the same principle with regard to trust funds which have come into their hands by recent Acts of Parliament as to sales.

365. If a person entrusted you with 1,000*l.* for a living, and you were asked to invest that sum in land, you would make that investment liable to the rules therein recited, would you not?—Undoubtedly.

366. Would that land be conveyed to the governors, or to the people in the country?—It would be conveyed to the incumbent, and the governors would have the custody of the deeds.

367. Would you leave the management of the property entirely in the hands of the incumbent?—Entirely in the hands of the incumbent.

368. Do

368. Do you hold any land, the revenues of which are liable to trusts in favour of particular individuals, or in favour of particular corporations?—The governors have no direct management of any lands.

369. Do you know how the 600,000*l.* which you lent to the Ecclesiastical Commission was invested prior to that loan?—It was a loan of stock; it was not 600,000*l.* in money that was lent.

370. Was your financial power in no degree altered by that transaction?—Up to the present time it has not been in any degree altered by it.

371. Has your mode of conducting business been altered in consequence of what then occurred?—Not in any way that I am aware of, because we have the income, and we have not at any time wanted that capital.

372. It is not material to you, I presume, in what mode the investment takes place, provided you have a good security and a good return annually?—Up to the present time not the slightest damage or harm has been incurred by the Bounty Office in that respect.

373. *Chairman.*] The income, in point of fact, belongs to other people; and you have accounted for it?—Yes. If this sum of 600,000*l.* stock should, in process of time, be required for the purchase of land by the incumbents to whom it belongs, then we should want the capital.

374. Do you think there is any reasonable probability of such a desire being expressed on the part of the incumbents?—At the time the stock was lent, the fund in hand was between 1,200,000*l.* and 1,300,000*l.*; the sum now in hand is about 1,071,000*l.*

375. Is that money or stock, or both?—Stock.

376. You likewise have a considerable sum of money, have you not?—It is all stock; so that

this fund has gone down nearly 200,000*l.* from the year 1843 until now.

377. Do you find that there is an anxiety on the part of the clergy to have money invested in land; or is the anxiety rather to transfer land into money; or is there no general principle actuating the clergy in that respect?—I think that there is scarcely any general principle.

378. Do you think that the general tendency is to increase the quantity of land, or to increase the quantity of money or stock?—I think that, but for the operation of that restrictive clause, as to the purchase of land contiguous to the living, it is probable the money or stock would have been nearly all invested in land.

379. Do you invest money in rent-charges?—We have power to do so.

380. Has that power been frequently exercised?—More of late than it used to be. The governors used to decline to buy anything like a ground rent.

381. Do you insist upon the ground rent being anywhere near the living?—We do not.

382. Have you any rule as to the magnitude of it, so as to prevent the expense and risk of collecting small sums?—I am quite sure that the board would not approve of any purchase unless it was most clearly to the advantage of the living, and unless there was no risk from its being sub-divided into very small sums.

383. *Mr. Schreiber.*] With regard to the item under the heading of "Produce of various sums of stock sold"; I suppose that is a sale of stock for any change of investment; is it for the purpose of investing in real estate?—It is for the purpose of either lending on mortgage under Gilbert's Act, or for the purpose of acquiring tithe rent-charge, houses, and lands, or chief rents for particular livings out of the capital belonging to those livings.

Mr.
J. K. Aston
and Mr.
S. Dunning.
—
22 June
1868.

Monday, 29th June 1868.

MEMBERS PRESENT:

Mr. Bentinck.
Mr. Bouverie.
Lord Charles Bruce.
Mr. Feilder.
Mr. Beresford Hope.
Mr. Howard.
Mr. Howes.

Mr. Monk.
Mr. Newdegate.
Mr. Pease.
Mr. John Peel.
Mr. Powell.
Mr. Schreiber.

THE RIGHT HON. EDWARD PLEYDELL BOUVERIE, IN THE CHAIR.

Mr. JOSEPH KEECH ASTON, called in; and further Examined.

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384. *Chairman.*] WITH respect to first fruits and tenths, have you the general details of your income derived from those sources?—I have not the details with me; but the income is derived from some 5,000 livings, and for the tenths would average about 2*l.* each.

385. Is not a considerable proportion paid by the bishops and archbishops?—Not a considerable proportion; but they pay a certain amount, one per cent. for first fruits. It is under a scheme settled by the Ecclesiastical Commission.

386. Is there a new form of payment by them, instead of their tenths?—Yes; and also instead of their first fruits. For the combined charge they pay 1*l.* 17*s.* 6*d.* per cent. on the statutable income.

387. Can you furnish the Committee with a copy of that scheme, and of the amount paid under it?—At the next meeting of the Committee I will do so.

388. There is a considerable sum, if I am correctly informed, which is paid in the gross by the Ecclesiastical Commission to the Queen Anne's Bounty Board?—Yes. On the 28th of April last the sum paid for the tenths and first fruits by the Ecclesiastical Commission amounted to 1,080*l.* 11*s.* 7*d.*

389. Is that in respect of benefices now in suspense held by the commission?—Yes; and canonries non-residentary, and so forth.

390. Of which the estates are vested in the commission?—Exactly so. The Act which incorporated the commission directed that such arrangements should take place, and it was done many years since, the basis of it being what I have mentioned as to the bishops. A subsequent Act provided for the suspense cases.

391. Livings under a certain value are discharged from the payment altogether, are they not?—Not as *now* speaking of value, but livings of a certain value were discharged in the time of Queen Anne, leaving the rest of those which were charged in the time of Henry VIII. still liable to pay.

392. But that exemption still exists, does it not?—Undoubtedly.

393. And that exemption has now practically, in many cases, no relation to the value of the livings?—Undoubtedly so.

394. Is it not the case that some very valuable livings are exempt, and that some very poor ones are subject to the payment?—Some valuable livings are exempt, and some poor ones are charged; but the payments in all cases are of a very moderate nature. In the year 1838 (if I may be allowed to refer to it) the subject was very fully brought before the House of Commons by Mr. Baines, by Resolution, at the time when he moved for a re-assessment of all the livings of the country. If you refer to Hansard for the year 1838 you will find it very fully entered into; but upon the division, the proposal then made by Mr. Baines to re-assess the livings of the country, was negatived by the House.

395. That was a proposal to substitute a given rateable assessment upon the livings instead of varying contributions from First Fruits and Tenths, was it not?—For Tenths; and to discharge all livings from the payment of First Fruits.

396. Was Mr. Baines a member of the Committee of 1837?—He was a very active member of that Committee, but his proposal did not find favour with the House, and it was stopped by a rather large majority.

397. Have you any power of leasing, or of giving power to the incumbents to lease their glebe?—No; we have nothing whatever to do with leasing.

398. Is sale the only power which you can enable them to exercise?—Exactly so.

399. Mr. John Peel.] Did I rightly understand that since the time of Queen Anne there had been no fresh total exemptions?—Quite so.

400. What is the nature of the changes which have taken place in the exemptions since the time of Queen Anne?—As to First Fruits and Tenths, there has not been any change as regards incumbents, but the bishops have been dealt with specially in the manner adverted to just now by a scheme and Order in Council.

401. But were there any changes as regards the incumbents of livings?—Not any since the time of Queen Anne. There was an Act of the 5th and 6th years of Her reign discharging a number of livings, and from that time till the present, the remaining livings then left in charge have continuously paid the sums at which they were

were assessed under the valuation in Henry the Eighth's time both for first fruits and tenths, producing a gross income of some 14,000*l.* per annum.

402. *Chairman.*] That being, as you stated the other day, after deducting the expenses of the office, the free income which you have annually, at your disposal?—The free income, deducting the expenses of the office, as shown by the augmentations, is 11,000*l.* per annum, as against a gross income of 14,000*l.*; there are no charges deducted in respect of management from the specified amount of 14,000*l.*

403. But that is the unappropriated amount from year to year which you have to grant in the way of fresh benefactions, is it not?—Yes; increased by a small amount of surplus in respect of loans on mortgage which I mentioned to the Committee would be about 4,000*l.* per annum.

404. *Mr. Powell.*] Does that pay the expense of the office?—The expense of the office, including every item of outlay, such as costs for lands purchased for livings and gifts received, and of property sold, would be for the year under consideration 7,819*l.* 17*s.* 9*d.*

405. *Mr. Newdegate.*] I think your examination has hitherto been upon the capital account, has it not?—It has been upon the receipt side of the account.

406. There is a sum of 600,000*l.* which was transferred from the Queen Anne's Bounty Board to the Ecclesiastical Commission, is there any receipt of income in the account for that capital?—It is the eighth item on the receipt side. "Dividends on bank annuities advanced on mortgage, 17,700*l.*"

407. At what rate of interest is that?—The sum of 600,000*l.* was a stock loan by the Bounty Board to the Ecclesiastical Commission; and under the Act of 1843 the arrangement made was that the Commission was to return to the governors by half-yearly payments an equivalent for the dividends which they themselves relinquished by making that loan, so that it is really at 3 per cent.

408. Then practically the sum to which you have referred in your last answer is the interest upon that 600,000*l.* at 3 per cent.?—It is.

409. Is there any engagement under that Act for the repayment of that capital?—Under the Act of the 6 and 7 Vict. c. 37, the Bounty Board was empowered to lend a sum of 600,000*l.* stock, or any further sum if they should think fit, and if the commissioners wished to borrow a further sum; and the commissioners were to pay half-yearly dividends to the Bounty Board; section 5 reads thus: "Provided also, and be it enacted that it shall be lawful for the said governors, if they shall see fit, at or after the expiration of 30 years from the date of the lending and transferring of the said sum, and at or after the expiration of a like number of years from and after the lending and transferring of any further sum of such stock as aforesaid, to give notice to the said commissioners, in writing under their corporate seal, requiring them to replace in the names of the said governors, and of the Lord Archbishop of Canterbury for the time being, the whole of such sums of stock respectively, or such part thereof respectively as shall at the date of such notice remain unreplaced, and the said commissioners shall proceed to replace the

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same accordingly, by yearly instalments, amounting at the least to one-twelfth part of such sums of stock respectively, or of such remaining part thereof as aforesaid, and upon default of their duly replacing any such instalment, the said governors shall have the like remedies for recovering the same as for any default in making any such half-yearly payment as aforesaid." With regard to the dividend, if it remained unpaid beyond 20 days, there was power of entry given to the governors, such as is usually given to mortgagees.

410. *Mr. Beresford Hope.*] Have both bodies a right to terminate the mortgage?—Under an earlier section it is optional with the commissioners to pay it off at any time; and then at the end of 30 years the governors have the right to require payment if they shall see fit. Bearing on this, it is, perhaps, important that I should mention that at the time of the draughting of the Bill, it was sent on to the Bounty Office for consideration, and it was amended by the Bounty Office, and in returning the draft so amended, Mr. Hodgson appended this to his alteration of section 3 as the Bill then stood: "I propose to strike out the words 'unless required as hereinafter mentioned,' and to substitute 'until the 1st of January in the year 1873, after which time the said stock should be replaced upon notice being given in the manner hereinafter provided.' My reason for advising this alteration is, that it does not in any manner alter the plan, but at the same time, it prevents the construction that the replacing of the stock is not contemplated, whereas it is the desire of the governors that there should be no opportunity for such an inference to be drawn from any expression in the Bill." The Bill was then returned to the commissioners, and it was passed through Parliament by that Board.

411. When does the 30 years for original loan terminate?—In the year 1873, five years from now.

412. Then practically, the clause is in accordance with the recommendation of Mr. Hodgson, is it not?—It is so. It does not bear upon the question, but there is a reference to any further loans. A further loan was sought by the commission some years afterwards, and was declined by the Bounty Board.

413. *Chairman.*] In what year was that?—That was about four or five years after Mr. Hodgson first advised a loan.

414. *Mr. Powell.*] But there is power to make a further loan?—There is power to make a further loan, I apprehend, at the present time; but the new loan would still be returnable, if the governors thought fit.

415. *Mr. Newdegate.*] Out of what fund did this 600,000*l.* accrue?—If the Committee will kindly refer to page 5 of the Paper which is now before them, on which the governors' balance sheet for the last year is set out, and if they will look at the centre statement of "Stock Assets of the Parliamentary Grants Fund," they will perceive on looking at the left-hand side of the debtor and creditor account, that on the 31st of December last, in the Bank of England, the governors had 471,493*l.* 7*s.* 3*d.*, Reduced 3 per Cents. They also had out on loan with the Ecclesiastical Commissioners, 600,000*l.* Then, on the other side, will appear this item, "By

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augmented livings (reduced) balance due, 1,071,493*l.* 7*s.* 3*d.* In other words, the whole of the 600,000*l.* so lent by the Bounty Board to the Ecclesiastical Commissioners belonged, and still belongs, to augmented livings, to some or other of the 1,254 livings to which the whole capital of the Parliamentary Grants Fund has been for some years appropriated.

416. You have answered the latter part of my question without answering the first part. Out of what fund did this capital originally accrue to the Bounty Board?—It arose from the combined action of two things, the grants made by Parliament between the years 1809 and 1820, and the benefactions given by the public to meet those grants, at the time of the appropriation of them to various livings.

417. By the public, do you mean those who gave money to increase the value of particular livings?—I do.

418. That is to say, private benefactors?—Just so, private benefactors or public benefactors. Sometimes the benefactors have been deans and chapters.

419. Do I rightly express myself when I speak of them as individual benefactors?—That is so.

420. Then this sum is in the nature of an endowment?—It is; it is money belonging to livings, or to speak quite accurately, it is stock appropriated to livings.

421. Of which, in the first instance, Queen Anne's Bounty Board, taken in its corporate capacity, was selected as the trustee?—Yes.

422. Then this loan expresses a loan by Queen Anne's Bounty Board as trustees to the Ecclesiastical Commission, is that so?—Yes, of trust stock.

423. Mr. Beresford Hope.] Then I apprehend that this sum of a million in round numbers is the margin of money not laid out upon the purchase of land?—It is so.

424. Is the principle of Queen Anne's Bounty Board, as far as possible, to make its investments in the purchase of land?—It used to be so until the year 1829. From that time until the present, whilst the governors have not refused to invest the capital belonging to a living in an eligible purchase, yet they have not sought for distant purchases, otherwise this million of stock would probably have long since disappeared.

425. Was that change in their policy the result simply of a resolution of the board, or of any Parliamentary change of their privilege?—It was sanctioned by Royal sign manual, which bore direct and distinct reference to this particular fund; and having obtained a sign manual applicable to the Parliamentary Grants Fund, as was mentioned at the last meeting of the Committee, the governors considered it a wise rule to apply to their own Royal Bounty Fund. But to answer the Honourable Member's question as fully as I possibly can, I do not know on what data that sign manual was sought, and how it was obtained. There was compiled in the office a very voluminous paper on the subject of the purchases that had been formerly made from the time of the foundation of the corporation which, if the Committee think would interest them, or the public, I should be very happy to hand in. It purposes to set out the lands annexed through the operation of Queen Anne's Bounty from the year 1704, down to the year

1838, in each of the dioceses. That paper has not appeared in any public return. (*The same was delivered in—Vide Appendix.*)

426. Then that sum of more than a million has mainly rolled up since the year 1829?—It was in existence at that very time, and instead of rolling up, it has been diminishing since that time by further purchases.

427. Then you mean to say that the Queen Anne's Bounty Board, acting on its own discretion, relaxed the terms of its constitution up to that date, and then got an *ex post facto* authorisation for it?—I did not quite mean to say that.

428. But how is it that the Queen Anne's Bounty Board, which exists mainly for the purpose of endowing livings with glebe, happens to be the holder of stock for the benefit of those livings?—I am very much obliged to the Honourable Member for putting the question, because it enables me to give this important answer; the estimated annual income now derived by the clergy from real estate annexed to livings, and acquired for the Church, through the instrumentality of Queen Anne's Bounty, is, on the most reasonable data upon which we can calculate it, now set down at 160,000*l.* a-year.

429. Mr. Powell.] Do you mean out of the Bounty Fund alone, or out of the Bounty Fund plus benefactions?—Undoubtedly out of bounty funds, plus benefactions; if it were not for the bounty, perhaps the benefactions would not have existed.

430. Mr. Beresford Hope.] Have you any calculation as to the capital sum that that 160,000*l.* represents?—It is set out in those columns down to a particular date. To the end of last year the capital sum invested by Queen Anne's Bounty in the purchase of real estate was, 2,808,860*l.*

431. Chairman.] Is that 160,000*l.* supposed to be the nett income?—It is supposed to be the nett income.

432. Mr. Beresford Hope.] How much per cent. would that be?—Up to the year 1838 the percentage was very high, being at an average of 6·31 per cent. on the purchases; but many of them had been made more than a century before. At the present time, I think any purchase made would realise not less than 4 per cent.

433. I observe that by the transaction of the year 1843, you locked up for 30 years a sum of 600,000*l.*, at an interest of only 3 per cent. Surely that was not a very satisfactory arrangement for your beneficiaries, was it?—Before making that loan some very elaborate calculations were compiled in the office (which I remember, that I, as a very young man took part in), in order to ascertain whether the governors could fairly and honourably lend so large a sum with due regard to the interest of their beneficiaries, and at what rate of interest. They did not wish to make any profit out of it, as they were lending to the Church for church purposes; and it was computed that that sum could be then spared. In justification of the act so done by the Bounty Board, I may state that during the interval of 25 years which has now elapsed, that sum has not been required.

434. You do not think that the poorer livings have suffered by so much of your money being locked up at 3 per cent., when you might have obtained a higher rate of interest by investing in land,

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and, or otherwise?—I am not aware that any given proposal of investment in land by any particular living has ever been refused, except on its merits, as being an undesirable investment.

435. You have never been compelled to refuse any application from there being no assets?—Never.

436. Mr. *Newdegate*.] The reason that you are enabled to continue this operation without detriment to any intending benefactor, or to any living that he intended to augment, is that you have gone on collecting funds subsequently to the loan of 600,000*l.* to the Ecclesiastical Commissioners?—That is scarcely so, I think.

437. Is it the case that the process of accumulation for which this board was established has continued, and that by the use of the funds so accumulated for the benefit of the Church you have been able to avoid withholding your assistance from those who intended to augment livings?—On the contrary, the process of accumulation has not gone on. In this particular fund the capital at the time the loan was made was upwards of 1,200,000*l.*; whereas, it is now only 1,071,000*l.* Therefore, this particular fund has diminished very nearly 200,000*l.*, and my opinion is that it will go on diminishing; and that, speaking in the interest of the beneficiaries, whose stock was so lent, if Parliament should at any time propose making the loan to the Ecclesiastical Commission a perpetual loan, I certainly should venture to urge upon the consideration of the Committee, or of the House of Commons, if it was before the House, that the loan should not be made into a perpetual loan; because I foresee clearly enough that the day may come (and if a resumption of the general power of investment took place, it would come at no distant date), when the whole of that capital might be required for the parties to whom it really belongs.

438. *Chairman*.] For investment in land?—For investment in land.

439. Mr. *Beresford Hope*.] In point of fact, it would hamper you a great deal, and you would only have a fixed and unimproving rent-charge to deal with, instead of having your capital to deal with as you judged best?—We should have, I think, to seek a Bill of indemnity from Parliament for having lent money which did not belong to the corporation.

440. I think your loan was originated, was it not, by Sir Robert Peel's church building scheme?—It really emanated from a suggestion made by Mr. Hodgson in the form of a letter recommending a mode of augmentation to the consideration of the Ecclesiastical Commission. He was requested by the commissioners to reduce some general observations which he made before them at a board meeting into the form of a letter. He did so, and that letter, if the Committee think it of any importance, I could hand in. It has never been printed except as a confidential paper by the commission.

441. Mr. *Newdegate*.] Will you have the kindness to have that put in?—I will do so. (*The same was delivered in.*—Vide *Appendix*.) Before Mr. Hodgson finally sent it to the commissioners he submitted it to Mr. Arthur Morgan, the actuary, and if the Committee will allow me, I will put in his letter bearing upon it. (*The*
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same was delivered in.—Vide *Appendix*.) Mr. Hodgson recommended that the commissioners should adopt the same plan of augmentation that Queen Anne required the Bounty Board to adopt, viz., that the augmentation should be by capital sums, and not by stipends or annual grants; and he pointed out in that paper the marvellously beneficial results that have accrued to the Church from that mode of augmentation.

442. Mr. *John Peel*.] You admit that you have 470,000*l.* available; and if land were to turn up you could purchase 470,000*l.* worth of land; but the 600,000*l.* is not immediately available?—Not for five years.

443. *Chairman*.] Your balance of stock has diminished by about 130,000*l.* in the course of the 25 years since that loan was made, has it not?—It has done so.

444. At any rate you could not possibly want the 600,000*l.* within five years?—No.

445. Mr. *Pease*.] You have stated that the 600,000*l.* is payable in the year 1873 by instalments; does that mean by instalments during that year?—The instalments are to commence in that year by sums amounting at the least to one-twelfth part of the whole amount, so that the repayment could extend to 12 years after that, and the last instalment would be payable in the year 1885.

446. *Chairman*.] That would be at the rate of 50,000*l.* a year, would it not?—It would.

447. Mr. *Newdegate*.] What effect has the loan of 600,000*l.* to the commissioners had upon the operations of the Bounty Board; have they been able to pursue the same course with equal success that they pursued previous to the loan?—They have pursued it and with the same success.

448. But have you not stated that their investments in land have somewhat diminished their general funds?—The Parliamentary Grants Fund has been diminished, since the time of the loan nearly 200,000*l.* in stock, by investments in real estate.

449. If they had had the larger sum which would have been in their hands had they not made the loan, would they not have been in a better position to effect the investments in land?—I think not; because I am not aware of any particular application for an investment in land having been at any time refused by the governors from their not having funds in hand to make the investment in land so asked for.

450. Then the result of your answer is this: that by pursuing the same line of conduct which they were originally appointed to adopt, they have been able to continue the benefits to the Church after the loan was made?—They have been able to continue the benefits to the Church up to the present time, having been in no way interrupted by the loan.

451. In short, the Bounty Board is, in fact, the collector of the church for purposes of benefaction, is it not?—To a very great extent that is so; but the Ecclesiastical Commission also collect benefactions for the church.

452. But, confining yourself to the Bounty Board, is not that the fact?—It is a collector of benefactions for the church.

453. And it continues the operations by which the 600,000*l.*, which was lent to the commis-
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sioners, was originally obtained for the use of the Church, does it not?—It does so, as shown by the Royal Bounty Fund account. I may add, I think no injury whatever can be alleged by anyone to have been done by the loan; I think it is right, for the reputation of the governors, that this should be added to my former answer. At the same time I must repeat what I have before stated, viz., that I should be very sorry if the power to call back that 600,000*l.* was done away with, because the day may come when it will be necessary, in the faithful execution of the trusts of the Bounty Board, to have that stock at the Bank of England to sell out, and invest in property for the benefit of the livings to which it belongs.

454. For the purpose of investing in real property?—For the purpose of investing in real property. The Right Honourable Chairman on the last occasion inquired whether the purchases were going on as largely as ever, or whether there was any fixed rule with regard to purchases. Turning to the Royal Bounty Fund, since the 1st of February, 1853, down to the 1st of January, 1868, I find that it has increased in money 33,000*l.* only, although the governors have, during that 15 years, capitalized a sum of 165,000*l.* of their own, and have received from benefactors, in money, besides real estate, 225,000*l.*, making together 390,000*l.*; and thus showing that nearly eleven-twelfths of the joint fund have been expended.

455. Mr. Powell.] You mean money as money?—I mean money as money, or stock as stock, and selling it out, and applying it as money. The difference has gone into real estate. With regard to the modern form of investments, namely, ground rents, tithe rent-charges, and chief rents, in which the governors used not at one time to invest at all, but which they used to decline, I have taken out two septennial returns for the last 14 years. During the first period from 1854 to 1860, the sum total expended was only 19,134*l.* During the last seven years the governors have invested more largely, to the extent of 54,747*l.*, and my own impression is that they will be applied to by incumbents to make such investments, in time to come, far more extensively than hitherto, even as shown in the variation of these two periods.

456. Chairman.] Is there any limit as to the locality upon which that rent-charge or ground rent should issue in respect to the living?—It has not been so applied.

457. Then the clergy get a slightly better rate of interest, do they not?—They would probably get more than 4 per cent.

458. Is not that an inducement to them to turn their stock into these investments?—It is so.

459. Do you pay the costs of these investments?—The governors have the power to pay costs, or to make the fund or incumbent do so; but, as a rule, the trust fund bears it.

460. So that the transfer of a less profitable investment in stock into a better investment in ground rent and rent-charges is made free of expense to the beneficiary?—It is so generally. The great accumulation of funds in the hands of the governors has arisen from the sale of property and endowment trusts.

461. Mr. Pease.] You stated a short time ago

that the sum of 1,100,000*l.* "stock liabilities of the Parliamentary Grants Fund" had arisen from private or individual benefactions and from Parliamentary Grants. I see that the Parliamentary grants then amounted to the sum of 1,100,000*l.*; and if I understood your subsequent answer correctly, the private benefactions, or individual benefactions, must have amounted to about 200,000*l.* during that period; is that so?—They were considerably in excess of that amount, which is readily explained by this circumstance: that the first grant was made in the year 1809, at a time when the public funds were very much depressed. The grants made were sterling, invested in the Three per Cents., and the fund was then held in hand unappropriated for a good many years. The last appropriation took place, I think, as recently as 1853; and between the time of the purchase of the stock and the appropriation of the money to the livings, a very great expansion of the value of the grant by Parliament had taken place, so that from 1,100,000*l.*, I believe I am right in stating that the sum appropriated to livings, increased by benefactions, amounted to more than a million and a half.

462. What proportion do you think the benefactions bore to that?—As a rough guess, about 400,000*l.* The governors in the case of the Parliamentary Grants, which were chiefly allotted to livings on account of their population, did not require so much benefaction as they themselves gave by way of grant. Under a sign manual they were authorised to give 300*l.* out of the Grant fund if a benefactor would give 200*l.*; whereas, in the case of the Royal Bounty Fund, the appropriation of first fruits and tenths, they usually get more than twice as much as they give.

463. Chairman.] Those were the days when appropriations were made by lot, were they not?—A considerable sum was appropriated by lot.

464. The names were shaken up in a hat, and names were drawn out, I believe?—I think there was a wheel used, or perhaps a hat.

465. Was not the result of that that some livings got a great many lots, and that others, practically, got none?—Practically, I dare say, it would be so. There was authority in 1810, and, subsequently, upon a living being selected by lot, to give that living at once, so many sums of 200*l.* each, as would raise it to the augmentation standard.

466. Is it the fact that in some places in the North of England livings got 8 or 10 lots successively, in different years?—I never heard that, and I should scarcely think it would be so; because there was some restriction, that, until all had received a lot, the number to be selected from became fewer and fewer.

467. But that was for the year only?—That was only for the year.

468. In any following year might not a lucky living get a lot which had been successful in the previous year?—Yes; so long as the living continued to be under the standard value.

469. Mr. Newdegate.] Were the livings to which the lots fell selected in the first instance on account of their poverty?—They were always selected on account of their poverty.

470. Mr. Powell.] You answered some questions a short time ago about rent-charges, and so on;

on; were those properties which you alluded to bought out of benefaction monies, or out of the bounty fund?—Simultaneously out of both.

471. Then what you said just now as to rent-charges, and so on, applied both to money coming from benefactions and to money coming out of the bounty fund, did it not?—To both.

472. I understand that the practice of the Bounty Board is this: that you have certain rules respecting the property that you will take when offered to you as benefactions, and that you have other rules of a more severe character as to investments which you will sanction out of funds previously entrusted to you?—In practice I should think that that would be so.

473. For example, if I am not mistaken, you would receive a donation of railway debenture stock, but you would not allow any of the bounty fund, or any money previously committed to your hands as trustees to be invested in railway debenture stock?—Quite so.

474. I wish to draw your attention to Question 361 and the following questions which I submitted to you on your last examination. When you speak of investments of land, excluding all questions of locality, or of convenience, what kind of property do you describe by the term "land" investments which are sanctioned by Queen Anne's Bounty?—An ordinary farm or ground rents, chief rents, redemption of land tax, and in some few cases a small piece of land with buildings convenient for a homestead if there is glebe land near to it. As set out in Mr. Hodgson's book, except the sign manual of 1829 relating to the Parliamentary Grants Fund, there is no fixed rule to prevent their buying any kind of real estate for a living; but practically the governors do decline to make a purchase if the property proposed to be purchased is land situated in a remote parish or in another county.

475. Would you sanction a purchase of house property?—As a rule the governors would not sanction such a purchase unless for the residence of the clergyman.

476. Has it not been the case that there has been something approaching to pressure put upon you to invest in property bringing in for the time a good rental, but which, being perishable, and eventually costly, you thought unfit for a clergyman?—Yes; there has been a pressure of that kind put upon the office, certainly upon one or two occasions, in order to induce the governors to consent to purchase cottage property, which, after full consideration, they declined to buy for the living.

477. And the purchase of property of that class which so soon disappears, and which ultimately requires very costly repair, you decline to sanction?—Yes; on the ground that whilst it would bring in a good present income to the present incumbent, it might leave his successor with a much smaller income, and liable to serious dilapidations.

478. I presume you keep your books in such a shape that you could, if necessary, supply the Committee with information as to the amount of benefactions?—Yes.

479. You do not mix up the amount of benefactions with the other grants, do you?—The benefaction account is kept quite distinct up to the time of the appropriation of the money, and

then it is blended with the governors' grant, and the united sum or sums are carried to the credit of the living as appropriated money or stock, as the case may be.

480. But you have such information in your office as would enable you to say how much money you have received in the shape of stock, or money, or in the value of property by benefaction?—Undoubtedly we have.

481. Could you describe to the Committee in general terms what kind of house property you would receive on trust if offered to you as a benefaction?—I believe that the governors would receive house property of any character on trust as a benefaction.

482. If a person desirous to augment a living offered you some cottages, would you receive them?—The governors would receive them as a benefaction. The incumbent would hold them for himself. The governors take no active part in the management of the estate.

483. The governors simply keep the deeds in their store room, but all the management of the property rests with the incumbent, is that so?—Yes; undoubtedly the incumbent would be legally liable to pay all the costs of maintenance.

484. Mr. *Newdegate*.] The governors would estimate the value of that property, if required, to meet the benefaction, would they not?—They would do so, and no doubt property of that kind would be valued at much less than landed estate.

485. Mr. *Powell*.] Do you receive property held on short leases of 20, or 30, or 40 years?—I never remember any such property being tendered.

486. In the case of any incumbent desiring to sell glebe land, or any property belonging to the living, have you any control over such sales?—Under Act, if the property has been acquired through the instrumentality of Queen Anne's Bounty, the governors are parties to the deed of sale, and our treasurer is the Parliamentary receiver of the purchase money.

487. Supposing that any private individual gives property to a living, that being land (using the term generally), and that he does not apply to you, and has no communication with you, have you any control over the matter in case of that property being sold?—We have, with regard to residences, houses, and lands annexed to them, and old buildings, which are sold under public Acts, but not as to the actual sale. The connection with the transaction is only to receive the purchase money, but then there is the power of a re-application of it in the erection of a new house, &c. The sums received under the Residence House Sale Act, &c., are paid to the treasurer, for the time being, whose receipt is a discharge to the purchaser; and when an application is made by the incumbent, either to buy a house or to build a new house for a residence, or, &c., then direct control is exercised. A house sold for a bank would produce a large sum.

488. Except in the case of houses for residence, have you any control over the sale of land belonging to a benefice, except that land had been originally acquired by Queen Anne's Bounty?—I believe not.

489. Mr. *Newdegate*.] In that case you act merely as bankers?—In the case of Bounty lands, so called, we act as parties to the deed, but in the

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the other cases we merely act as receivers of the purchase money, and as trustees of the corpus.

490. Mr. *Powell*.] But do you not exercise a certain superintendence over the style of the architecture and the size of the house?—If the money is afterwards to be replaced in other property, then we should exercise a control.

491. *Chairman*.] In whom is the fee vested?—It is vested in the incumbent of the living, but in the case of purchases and sales for a living, the Bounty Office have had in constant use, from almost the day of their foundation, a very unusual, and I think it has practically proved, a most convenient, form of inquiry, termed a commission. A commission is issued by the bishop, addressed to three laymen and three clergymen, who live near the estate which may be to be purchased, or the estate which it is proposed to sell, and all the facts connected, either with the land to be purchased, or the estate to be sold, are inquired into by those honorary commissioners, and they make a full report and return to the governors, to help them in their adjudication upon the rights of the particular case.

492. Mr. *Powell*.] In the case of money being offered to you, which is to be spent in the purchase or enlargement, or building of a parsonage house, you exercise a superintendence over the style of architecture and the solidity of the structure, do you not?—Yes.

493. Mr. *Beresford Hope*.] Do you conceive that this employment of honorary or unpaid commissioners, instead of a paid surveyor, to whom you would otherwise have recourse, saves any appreciable sum per annum?—There is a surveyor also employed; but the present system has been found practically to bring out facts which a surveyor would not touch upon.

494. *Chairman*.] I presume that the land is also valued by a competent valuer, and that that valuation is referred to the commissioners to help them in their inquiries?—Yes.

495. Mr. *Powell*.] Do you not send down an architect, in the cases of which you have been speaking, to examine into the circumstances?—The governors have no settled architect.

496. But do they employ any architect?—They do not; but all the plans they approve of are referred by them to a surveyor, who does not see the house proposed to be built, and who never visits it; but who certifies to the governors that the specifications are full and sufficient, and that the materials are such as ought to be employed; and then the rest of the responsibility, both of choosing the architect and of the due completion of the work falls upon the local authorities.

497. By a surveyor you mean a man who understands building, and who is able to advise upon such points?—An architect or surveyor; I think it is rather a surveyor's work, perhaps, than an architect's.

498. Then what security have you that the building is erected according to the plans?—The same security which any gentleman has who employs his own architect. The incumbent selects the architect, subject to the bishop's approval, and the work is done; and upon their both being satisfied that the work is done well, the balance of the money is paid.

499. But you have certain plans sent up to you

which we will assume are approved; what security have you that the building is executed according to those plans?—We have the combined testimony of the incumbent that the house has been finished to his satisfaction, and of the architect, usually local, approved by the bishop, that the house has been properly erected.

500. Do the local commissioners join in that certificate?—No; there is no commission in the case of an erection.

501. I believe that in approving the plans you have regard to the value of the living that the house be not too large for the living, nor too small?—Yes; that question would come before the governors, because I have known them refuse a loan on the ground that the amount applied for was excessive, and more than the incumbent should seek to put upon the living.

502. Have you heard of cases where the incumbent has wished for a larger house, and one which you have thought out of due proportion to the value of the living?—No doubt there have been such cases.

503. Mr. *Pease*.] In the case which you put just now of a residence house in a town being sold to a bank, the money arising from that sale being much in excess of what would be required to build a house of similar accommodation, does the excess return to the Bounty Board, or does it go to augment the living?—The excess would remain with the bounty in trust for the living.

504. Lord *Charles Bruce*.] What is the case to which you referred, in answer to Question No. 243, where at the last board a grant was made without any benefaction?—Upon inquiring into that case I heard afterwards that the governors were unable to complete the case, because they found that it was above the value at which it stood as an application; so that I think there has been but one case this year, the one which was stated in the report.

505. *Chairman*.] Looking to the account which we have been examining, I see that the total produce of sales on the receipts side amounted to 38,745*l.* 12*s.* 9*d.*, that sum being principally composed of 32,454*l.* 8*s.*, arising from the sale of bounty lands; are those bounty lands which have been previously appropriated to various livings, and which it has been found expedient to sell?—That is so.

506. On the other side I find this item, "Paid for purchase of tithe rent-charges," and so on, 8,415*l.* 16*s.* 7*d.*, that, with the other item of 29,132*l.* 5*s.* 8*d.*, making together 37,548*l.* 2*s.* 3*d.* on the expenditure side. It appears by that that you have paid for the purchase of lands and houses, and rent-charges less by 1,200*l.* than what you have obtained by the sale of similar property; is that so?—It so happened in the year 1867.

507. Is that the ordinary state of the accounts, or is that an unusual and exceptional case?—The sales upon the whole exceed, I think, the re-investments or purchases.

508. Is there more or less an approximation in the balance between those two amounts to the balance for past years between the amounts for the sales and purchases of land?—The sales have certainly exceeded the purchases.

509. To that extent they increase your capital stock, do they not?—To that extent they have increased the capital stock.

510. Then.

510. Then, for the purposes of investment in land, you would not require that balance of stock of 600,000*l.* to which reference has been made, assuming that it goes on in the same way and at the same rate as of late years?—That is hardly so, because the 600,000*l.* is lent in respect of one set of livings, and the excess of the sales over the purchases would arise in respect of another set of livings under the Royal Bounty Fund.

511. Mr. John Peel.] I think I understood you to say that since the time that the 600,000*l.* was lent, you had invested something like 200,000*l.* in freehold?—Yes. On the Parliamentary Grants Fund there has been a diminution.

512. So that in point of fact you have more land and less money than you had when the 600,000*l.* was lent?—On the Parliamentary Grant Fund, that is so.

513. Chairman.] But that does not appear to be the case with regard to your general operations of sale and purchase?—Not with regard to the lands under the Royal Bounty Fund.

514. But those all go into the general account, do they not?—Yes, they do; they are set out on page 4.

515. Is it the fact that the stock assets of the Royal Bounty Fund have gone on increasing?—They have increased.

516. That is in consequence of an excess of sales and benefactions as compared with purchases of land, I presume?—That would be partly in consequence of the character of the excess of sales, but to a greater extent still it would be owing to the large sum vested in the governors under the term "endowment trusts."

517. Are those particular trusts for special purposes?—All of them. They are specially for the benefit of particular livings.

518. Are they ordinary benefactions?—They are not benefactions; they are sums given without any grant for separate trusts.

519. Is it a fact that, with regard to Peel districts, an appropriation is required of an endowment before such a church is consecrated?—I think not.

520. Is there not one class of churches for which an appropriation is required?—Under the Peel Districts Act there was power to constitute a district without even a school.

521. With regard to one class of churches is there not a Parliamentary requisition that there must be an endowment?—The bishops usually require an endowment of not less than 1,000*l.* with regard to the class of churches to which you advert.

522. What class of churches is that?—Any class of churches I think are so included.

523. Are those endowments practically transferred to you to hold as trustees for the Church?—To a very great extent they are.

524. Then a large portion of those endowment trusts really represent sums of that character?—That is so.

525. And the dividend is paid by you to the incumbent of the living?—The exact dividend, without any abatement whatever.

526. Is that the fourth item of the disbursement side, "Dividends on Appropriated Stock belonging to Endowment Trusts, 21,790*l.*"?—

That was the nett amount paid in the year 1867 to the clergy entitled to it. There is a separate account kept of the sum due. That is the sum actually disbursed in the year.

527. Is that an entirely distinct and separate account?—Entirely distinct.

528. The first item on the disbursement side is the general augmentation account, is it not?—Yes, both Royal Bounty and Parliamentary Funds.

529. The next item is, "Interest and Dividends on Produce of Sales of Bounty Lands." Is that money which has been provided by the sale of bounty lands, and which has been re-invested in stock until other investments can be found?—Just so.

530. I believe you do not invest in land now, except it is within the living itself, under ordinary circumstances?—Not unless it is in or near to the living.

531. Formerly investments in land for a living were made in any part of the kingdom, were they not?—Very remote purchases were made formerly. A purchase now involves the consideration of whether it is sufficiently near for the clergyman to superintend it without any expense being incurred for management, and whether it is suitable for glebe.

532. Mr. Newdegate.] Those two considerations, practically, limit your purchases, do they not?—They do.

533. Chairman.] When was that change made?—It is mentioned in Mr. Hodgson's account under the rule of 1829.

534. Was it found by experience that those holdings at a distance from a living were comparatively valueless?—There were a good many complaints made with regard to them; but if one might test them by the amount realised on their sale, they were not at all injudicious investments when made; for we found that on a return compiled for seven years, the lands sold for three times the value for which they had been purchased. They were chiefly, in those cases, outlying lands, and it was a good reason for selling them.

535. Those were purchases mostly made in the early part, or in the middle of the last century, were they not?—Yes.

536. And they have partaken in the general rise in the value of land?—No doubt.

537. With respect to the loans on mortgage of glebe houses, you mentioned in the course of your evidence that money had been advanced in some cases of episcopal residences; has that occurred recently?—Yes, there was an advance, I think last year, of 4,000*l.* for one of the bishops.

538. Which bishop was that?—It was the Bishop of Chester.

539. Can you state what has been done in that way for the last few years on episcopal residences?—It is done under the Ecclesiastical Commissioners Acts. The moneys are paid to the treasurers of the Ecclesiastical Commission, and they have the superintendence and the disbursement of the money.

540. Does the application come to you from the Ecclesiastical Commission in the first instance?—It would be made by the bishop with the approval of the Commission.

541. The

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541. The bishop makes the application at the board and has the sanction of the commissioners to the application; is that so?—Yes; and then the treasurers of the commission are made the bankers of the money, and they look to the application of it.

542. Is the gross sum paid over to the Ecclesiastical Commissioners?—It is paid to the treasurers.

543. You do not receive any application?—Not in any way. We leave the bishop to choose his architect, or the commissioners to appoint theirs as they think fit.

544. With regard to glebe houses you do receive the application, do you not?—The office have no control except in granting the money. The sums so lent are paid under Gilbert's Act to the nominee who gives security to the governors.

545. The nominee of whom?—The nominee selected by the bishops and patron. He acts as a kind of banker, and he gives security for the due performance of his trust. He acts in concert with the builder, and the architect, and the incumbent, and he pays the money as it may be due on the contract.

546. What security have you that the money is properly expended?—He gives a bond.

547. Have you any investigation as to the expenditure of the money, or is any certificate of any kind made to the board?—As mere lenders of the money that duty is not thrown upon the office, and it has never been sought by the office in any way. We have no control over the actual expenditure of the money.

548. Have you ever had any instance of fraud or attempted fraud?—I remember one instance where there was a fraud; but I think it is the only one in about 3,000 cases. I should like to put in, if the Committee would allow me, a paper showing the total amount that has been so lent from the time that those loans were first made. (*The same was delivered in.*—Vide *Appendix*.)

549. Mr. Howard.] When did the system commence?—It was sanctioned by Act of Parliament in the year 1777; but curiously enough the first case did not occur until the year 1809, so far as the Bounty Office is concerned, and for some time I was puzzled to tell what had delayed the operation of the Act which has borne so high a reputation now for so many years; but I found that it was the state of the public funds which hindered it. The public funds were at that time often at 40 per cent. discount, and it would not have paid anyone to sell out then to lend at 4 per cent., nor would it have been just at the time for the governors to have advanced the trust funds for the purpose. When the public funds went up, then it was not an unwise thing to lend the proceeds of trust stock at 4 per cent. or at 3½ per cent., at which two rates the monies are lent, as I mentioned before, according to the value of the living.

550. Chairman.] Is any discrimination exercised, or do you accept every application within the terms?—At the present time all applications are granted.

551. Has there ever been a stoppage of the supplies?—There was at one time a restriction to 60,000*l.* a year, lest the governor's capital should be used up; but that restriction has been removed.

552. And now you meet every application within the conditions?—Every application which complies with the conditions. The total number of cases is 3,800 to the 31st of December, 1867, and the total amount lent has been 2,660,995*l.*

553. I understood you the other day to say that you make a little money by it?—About 4,000*l.* a year. Referring for one moment to page 5 of the paper which has been given to the Committee, the operations of the Queen Anne's Bounty are said to have obtained for the Church some six millions of capital; and I think that to that we might fairly add this large sum of 2,660,995*l.*, as one of the results of Queen Anne's Bounty.

554. Or rather the use of that sum?—Yes; although it must of course not be forgotten that it is entirely added to the Church by the clergy of the livings.

555. It is a charge upon the livings, so long as it lasts?—Yes, but the greater part has been paid off, and therefore the property is the property of the Church without encumbrance. It is all now legally the property of the Church, although the incumbents will be called upon to make it up.

556. Can you make out a statement of the sums that have been advanced upon episcopal residences within the last 10 years, including canonries and all residences other than benefices and parsonage-houses?—I can make out such a return.

557. As I understand, your stock all stands in your name in the bank books, without any earmark upon it, and it is only in your books that it is appropriated to particular trusts?—It all stands in the bank books in the corporate name only, and not to the name of any particular account, as it would be in the books of the Accountant General in the Court of Chancery.

558. There is an account on page 6, as to sums available for augmentations in the year 1868; how is that account prepared?—It is prepared either by the accountant or by the assistant accountant.

559. You take to start with, as assets, "The money credit balance on the Royal Bounty Fund Account," which is 304,607*l.* Then there is the surplus income; that is the nett balance of the first fruits and tenths, is it not?—No; the surplus income is not the nett balance of the first fruits and tenths, but it is the accrued surplus in respect of income due up to the 31st of December, 1867, the day of making the account. It is receivable in 1868, but it was actually due on the day when the account is made up. It is a small result, but it involves a great amount of labour to attain to it, because every mortgage is valued out for interest purposes to the 31st of December, and all the proportionate parts of the interests and dividends due to the clergy are put down on the other side, and that is the resulting balance, allowing also for the charges of management, and everything of that kind due up to that day. The attempt is made, and I think with an accurate result, to show how the governors stand to the very penny on that particular day. Every item of charge is brought under review, and every item of receipt is also brought under review, and the one is put against the other; and it was found upon that day that there was an accrued surplus of income receivable in 1868

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over and above all the amounts payable in respect of income, of 6,428*l.* 1*s.* 1*d.*

560. Including first fruits and tenths?—Yes, including the balance unpaid of first fruits and tenths.

561. Now, then, going to the other side, you have a stock debit balance which you take at an average price of 91*l.* per cent.; on what principle do you take that price?—There are three plans only open in considering that question; one would be to take the stock at the price it had cost, or the price at which it was sold when it was borrowed, for it says, "borrowed 3*l.* per cents." Another plan would be to take the price on the day, that is the 31st of December, 1867; or a third plan would be to take an average price.

562. An average price upon what?—An average price upon the Three per Cents. for a long period of years. That plan has practically been found the most convenient, because the stock, if repaid, will be repaid gradually during a number of years, and therefore the average of the past will probably be the experience of the future, if spread over a number of years.

563. But, as I understand it, if you were to take it at the price of the day now, you would show a deficiency?—Undoubtedly we should.

564. And in that way you may become bankrupt; spending more than you have, may you not?—In the year before, taking it at the price of the day, we should have had an enormous surplus.

565. Is this account made out every year for the information of the governors?—It is.

566. And upon that principle?—Upon that principle.

567. Mr. John Peel.] Upon the principle of taking the average price, or upon the principle of taking the price of the day?—Upon the principle of taking the average price.

568. Chairman.] How far back has that account been taken?—About 40 years, I think.

569. I make out that at the price of the day you would have a deficiency of 2,430*l.*, would that be so?—That would be so. We made use of some Parliamentary Returns upon that subject, which go back to the year 1822. From the year 1822 to the present time the variations, of course, have been very great.

570. Has that been for many years the practice of the board?—For many years.

571. Mr. John Peel.] I suppose the incomes of those who enjoy the increase of their incumbencies have never varied in consequence of a rise or fall in the funds, so much stock being appropriated to each living?—So much stock is appropriated to each living, and the actual dividend is paid to the incumbent. The price of the funds does not affect the income of the clergymen at all.

572. So that whether the funds are high or low makes no difference to the incumbent?—None whatever. The average price is only used once a year for the distinct purpose of ascertaining the amount of surplus capital in hand.

573. Chairman.] When you appropriate capital to a living, you invest the stock at the price of the day, and give the dividends to the incumbent?—That was never the practice with regard to the Royal Bounty Fund, but it used (033.)

to be the practice with regard to the Parliamentary Grants Fund. We give the incumbent in all recent appropriations 3 per cent. upon the money; the older appropriations receive 3½ per cent. upon the money; but it is money that is held in trust for the Royal Bounty Fund augmentations.

574. Mr. John Peel.] Then, in point of fact, you make a profit upon the transaction with the incumbent, if you give him 3 per cent. for the amount of money in increase of his endowment, whereas you have bought at, perhaps, 3½ per cent.?—We should make a little profit in that case; and in lending money on mortgage at 3½ per cent. there is a profit. It is a very moderate sum, but it goes towards the expense of management, and hence, with a gross income of some 14,000*l.*, the governors are able, after paying all the charges of management, and the legal expenses of free gifts, and so forth, to appropriate, on an average, more than 11,000*l.* a year.

575. Then, in fact, as dealers you gain sufficient to pay your expenses, do you not?—Not quite, but well on towards it.

576. Chairman.] Is there any arrangement with the bankers about those large purchases and sales, or do they receive merely the ordinary brokerage commission?—Merely the ordinary brokerage.

577. Mr. Schreiber.] Did you tell the Chairman, with reference to an item in page 2, "Installments (including sums received in full of mortgages) in part liquidation of monies advanced on mortgage," that there was a profit to the corporation?—Yes.

578. How is that achieved?—The governors receive a benefaction of money, and add their grant to it; and on the combined sum they pay 3 per cent. interest; but they have power under the Act of Parliament to lend money that they so receive at 3½ per cent.; and the difference in the rate of interest would help to make that profit.

579. Has my question reference then to the same transaction as that just now referred to?—It has.

580. Mr. Newdegate.] By judicious management of the capital and funds coming into your hands you realise something more than the expense which you charge to those interested in the fund, do you not?—We do.

581. And the difference goes to the credit of the fund?—It does.

582. According to the last six items but one in this disbursement account, it appears that the actual expenses of the office, beginning with the salary of the treasurer and secretary, amount to something over 7,167*l.* a year; is that so?—It is.

583. Mr. Pease.] Is that the gross amount, or the amount after the sums so made by good management have been deducted?—It is the gross amount of total disbursements. It is an account in gross, both on the receipt side and on the disbursement side.

584. Mr. Beresford Hope.] How much per cent. would that be upon your whole income?—Two and a half per cent.

585. Mr. Powell.] Can you tell me what steps you take to be certain that the property which you purchase is really worth the money that you give

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give for it?—Besides the surveyor's report, and the valuation, there is the return to the commission of inquiry.

586. Do you mean your own surveyor, or a local surveyor?—A local surveyor.

587. But do you first of all employ a local surveyor to value?—We first employ a local surveyor to value, and then there is a commission of inquiry issued, addressed to commissioners, lay and clerical, six in number, to report to the governors whether they deem it a desirable property to be purchased at the price stated.

588. Is the local surveyor commended to you by those commissioners, or by the clergyman?—By the clergyman, with the approval of the bishop.

589. Then you have had two independent investigations; one by this surveyor so nominated, and the other by the commissioners?—Yes.

590. And the commissioners may, or may not, apply to some other surveyor for his opinion, according to their judgment?—They might do so; but I do not think that I ever knew a case of their so applying.

591. Mr. *Schreiber*.] Have you often found much difference of opinion between the commissioners and the surveyor?—I have known commissioners recommend to the governors not to purchase property which the surveyor had reported as being worth the sum that was asked for it.

592. Mr. *Powell*.] Do you employ any surveyor in London, to whom you submit the local reports?—There is no surveyor employed in London; the governors act upon their own judgment.

593. Mr. *Schreiber*.] As a matter of fact, do those commissioners bestow their fullest attention upon these subjects?—Some of those reports read as if they gave very great attention to the subject. I remember one case in which local reasons were given why the purchase should not go on; although, on the face of it, except for that commission, everything appeared to be most desirable.

594. Then you attach great value to the reports of those commissioners?—Very great value.

595. Although *a priori* those gentlemen have no special fitness for the work?—They are very often magistrates, and the archdeacon or rural dean would be on the commission, and they are men who are accustomed to move about in the locality to which the inquiry relates.

596. Mr. *Powell*.] In the case of a daughter church, the vicar or incumbent of the living would be ordinarily placed on the commission, would he not?—Quite so.

597. *Chairman*.] What is the mechanical mode in which you pay all those dividends to the clergy?—Since I was last before the committee I have prepared a short account of the duties of the three rooms in which the business is transacted, which I will hand in. It sets out the duties performed by the clerks in the secretary's department under Mr. Hodgson, and in the two financial rooms, and it explains the mode of payment. (*The same was delivered in.*—Vide *Appendix*.) The half-yearly interest and dividends are disbursed to the receipt of the incumbent on its presentation at the office. The payment is made in cash if the receipt is presented

by the clergyman or by his personal agent; but if they come in a large number, together, by a banker, then they are paid by cheque.

598. Do you take any means of identifying the clergyman who presents himself?—We pay to his receipt. I think we know the signatures fairly well.

599. Have you had any fraud at all?—I never remember a case in which we have had any fraud perpetrated. We have had one or two attempts by the presentation of more than one receipt; but in those cases we should not even pay the first receipt. We had reason in one case to know that the clergyman had got unsettled, and had issued more than several receipts; and so we refused to pay any of them. That particular instance is a matter of notoriety, for he was prosecuted, brought to trial, and sentenced.

600. Was that the only case of fraud?—There may have been another case, but they are very rare; almost universally we have not had the slightest trouble in disbursing the money.

601. Mr. *Powell*.] You ordinarily pay through a banker, do you not?—No; the paper which I have just given in distinguishes the amount which we pay in cash. We pay about 50,000*l.* a year in bank notes and coin at the office.

602. *Chairman*.] Do you issue receipts before the day of payment?—No; whenever there is any change in the amount, either by change of capital or by variation in the income tax, then the clergyman would receive a letter telling him of the change; but otherwise we should expect the clergyman to know what he has to claim from us, from the last letter, as at the Bank of England, a person is expected to know the amount of stock that he has to receive dividend upon.

603. Mr. *Powell*.] Do you include the number of visits paid to you for the receipt of this money in the number of visits which you said were ordinarily paid to the office?—I made a rough guess at the moment, that the number of callers would be between 3,000 and 4,000. Since then I have made a computation, and I find that the number would be 5,000, and the average daily number would be about 16.

604. Does that include those personal applications?—It does so.

605. What balance does that leave of callers who do not come upon that financial account?—It leaves a very considerable balance.

606. Could you give a rough guess at the proportions?—I should think probably two-fifths of the visits are for the receipts of dividends, and three-fifths on other business. I have also computed the number of letters which I was unable to give on a former occasion, and I find that the number averages 26 a day in the various departments.

607. Could you put in a blank form of the receipt which you give?—I will do so. (*The same was delivered in.*—Vide *Appendix*.)

608. *Chairman*.] I see by this return as to the attendance, that two aldermen in three years have each attended one meeting respectively?—They have.

609. And that the clerk of the Council attended once. What brought him there?—We had a doubt as to whether we should have a quorum; and there were some deeds that wanted sealing that day, and we sent up to the Council

Office

Office to request him to come. I thought that it would be interesting to the Committee if I looked back to the old minutes, to see whether the failure to make a quorum was a fact of modern existence, or whether it used to be the case formerly, and I turned accidentally on a minute in the year 1722, and on one page there are three failures in succession to make a quorum.

610. I see that his Grace the Archbishop of Canterbury is a constant attendant?—He is.

611. He seems to attend nearly every board?—He does so. As president, he takes a very active part in the administration.

612. Mr. *Powell*.] Are there any lords lieutenant on that list as having been present?—No.

613. Are there any provincial mayors?—I think not. With the permission of the Committee I will hand in the two charters and the rules, under sign manual, which are now in force.

614. Mr. *Newdegate*.] You speak of the appointment of local commissioners in the case of purchases. You have the power of creating out of your own body a local commission virtually anywhere, have you not?—Undoubtedly there is that power, but the commissioners are not selected as governors. The bishop recommends the men whom he thinks best adapted for the particular inquiry.

615. And they are appointed by the bishop and accepted by the board, are they not?—They are. In the year 1704, which was the year of the foundation, I find that the Justices and the Attorney General, and other legal governors, used constantly to attend, and this form of commission, I believe, then originated with the Lord Chief Justice of the Queen's Bench, to whom the subject-matter was referred as to what they should do. That was Chief Justice Holt. In the year 1722, from July to September, there was a failure to make a court, so that if the Committee would excuse the remark, the complaint, if a complaint it be, is chronic, and not of a very killing nature.

616. *Chairman*.] Have you ever known a division at the board?—Yes, I have known a division apparently existing at the board, and probably ending in a resolution being passed in a more modified form than that originally contemplated.

617. But is a vote taken in such a case?—Yes, it is always put to the vote in case of difference.

618. Is there anything which you wish to state

to the Committee in reference to a question which was asked you on the last day of the meeting of the Committee?—With regard to Question 266, it occurred to me in reading it over that an additional question was required to bring out the fact that the governors have a power which they seldom exercise, to give more than one sum of 200*l.* in a year to a small living, I was giving the almost universal practice. Under the sign manual of 1838 there is power to make three grants of 200*l.* each to the same living, to meet three benefactions or a very large benefaction.

619. But that power is practically not exercised, is it?—In very few cases.

620. Mr. *John Peel*.] There must be special circumstances?—There must be special circumstances turning upon the great amount of money offered to obtain grants. With the permission of the Committee I should like to put in the total amount laid out upon houses. (*The same was delivered in.*—Vide *Appendix*.) The total amount which the governors have laid out of appropriated money in the erection of houses from the year 1804, when they first had the power granted, to the 31st of December last, was 969,548*l.*, thus helping to explain what has become of the six millions of money. One million has gone in the erection of houses, and nearly three millions in purchases, leaving the fund stated by the balance-sheet now in hand.

621. Mr. *Powell*.] Does any of the sum which is said to have been expended in purchases appear twice over?—Some few cases would have occurred, no doubt. I also beg to hand in a statement of the salaries received. (*The same was delivered in.*—Vide *Appendix*.)

622. *Chairman*.] Is there any augmentation of the salaries for service, or is it a fixed salary?—There is a graduated scale of salaries, with certain minimums. I would call the attention of the Committee to the first special provision.

623. Mr. *Powell*.] You gave on your last examination the date when the lease of the house in Dean's-yard was renewed; when would the lease of the house be run out if there had been no renewal?—Twenty-six years from the period of the renewal; it is renewable every 14 years.

624. *Chairman*.] Has that always been the office of the Bounty Board?—Not always; when they were first established they had apartments in the new buildings adjoining the banquetting-house in Whitehall, without rent, and furnished at the expense of Queen Anne.

Mr. SIMON DUNNING, called in; and Examined.

815. *Chairman*.] ARE you Solicitor to the Queen Anne's Bounty Board?—I am, with my partner.

816. How long have you been their solicitors?—Since the year 1855.

817. Your firm has been so for a much longer period, have they not?—Yes; the late Mr. Burder was solicitor for a great number of years; he died in 1855, and we were then appointed.

818. A large part of the business of the Board is granting loans upon mortgages, is it not?—Not a large part, but some part of it is so.

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819. Another portion is the sale of land vested in benefices, is it not?—Yes.

820. Do both those parts of the business pass through your hands?—They both pass through our hands. The loans, after they are approved by the Board, are entirely managed by us.

821. Is there any other part of the business which also goes through your hands?—Purchases of property, with money appropriated to livings, securing benefactions of land and tithe rent-charges. If a benefaction of land or tithe rent-charge or an annuity, or anything of that kind, is offered, we do the legal business.

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822. All acquisitions, all loans, and all other legal business?—Yes, and all kinds of endowments. Where persons offer sums of money as endowments, we prepare the instruments; and I may mention, in order to conclude my statement, that instalments and interest on loans, which are 40 days in arrear, are referred to us to get in.

823. What is the process with regard to loans, which they take in the office?—On receipt of an application for a loan we send to the applicant a paper of questions.

824. That application comes to the office, and is referred to you?—Sometimes it comes direct to us. If it goes to the office it is referred to us. We send to the applicant a paper of questions, and a letter of instructions, according to a common form, the object of the questions being to elicit all necessary information with reference to the living.

825. What takes place after that, assuming that the applicant fills up your forms properly?—The applicant fills up our forms, and then once a month, or perhaps oftener, we reduce the information which the answers to the various questions give us into a schedule of applications which shows the name of the applicant, the name of the living, the population, and the object for which the loan is required.

826. Is that submitted to the Board?—That is submitted to the Board.

827. And if they approve of it, it comes back to you, I presume?—That is retained in the office, but a somewhat similar list is sent to us.

828. Is that your authority to proceed to make the loan?—That is our authority.

829. Then what steps do you take upon that?—We then send the incumbent instructions as to what he is to do, and also instructions for his architect. The incumbent has to send us an affidavit of the value of his living, showing in detail the gross income, and the outgoings; and he also sends us the names of two beneficed clergymen to be named as Commissioners, to whom the bishop of the diocese issues a commission, as directed by the first Gilbert Act. The architect sends us the necessary plans and specifications.

830. He employs his own architect, does he not?—Every clergyman appoints his own architect; we have no control over the architect; I have brought as a specimen the last plan which came in the other day (*handing in a paper to the Committee*); that is from the local architect.

831. Then what do you do with these plans?—We lay that before Mr. Hunt, the Governors' surveyor.

832. He is your adviser in these matters, is he not?—He is our adviser, and he examines the plans and specifications; he does not interfere with the taste of the architect nor the style of the building; but he sees that the materials are proper, that the timber is of sufficient strength, and that the building is altogether architecturally designed.

833. According to an ordinary surveyor's duty?—According to an ordinary surveyor's duty; then he certifies to us whether it is approved or not. Mr. Hunt will attend the Committee, if the Committee desire it, but in order, perhaps, to save that trouble, I have here a statement of the last 50 plans which he has

examined, and I find that on 34 of them he made no requisition whatever; on the remainder he made some trifling requisitions, such as a requirement about the scantlings of the floor, joists to be increased, and those kinds of things.

834. Then that comes back to you?—Then that comes back to us.

835. What do you do in the meantime with reference to the legal bearings of the case, with regard to the value of the living and the charge to be made?—I assume that up to this time we have received from the incumbent an affidavit of the value of the living; we desire the secretary of the bishop to issue the commission which is required by the first Gilbert Act; it is issued to two clergymen.

836. Is that done at your office?—We instruct the bishop's secretary to do it; the object of the inquiry is to ascertain whether the incumbent on his entry into the living received any dilapidations, and if so, the amount, and what has been done with it; and further, if the incumbent has, during his incumbency, kept the house in a proper state of repair. If, on the report of the Commissioners, it appears that the incumbent has received dilapidations and has not laid them out, those dilapidations are brought into the fund for the buildings.

837. Do you debit him with those dilapidations?—He pays them to a person called the "nominee." I should explain that the Act of Parliament directs that the money is to be paid to a person to be appointed by the patron, the ordinary, and the incumbent; and that person is called the nominee.

838. He is a trustee for holding the money?—He is a trustee for holding the money. On the approval of the plans, and the receipt of the Commissioners' report, we prepare two instruments, one of which is called the appointment of this nominee, and the other the consent to the mortgage, to be signed by the patron and the ordinary. Those two instruments we forward to the incumbent, who obtains the signatures to them; and on their return we prepare the mortgage. The mortgage with a counterpart is engrossed in the usual way. We also make a fair copy of it, and we annex the appointment and the consent, and also the incumbent's affidavit to the mortgage, and we then send it to the incumbent for signature, with the copy which he has to forward to the Bishop's Registry; the copy is filed there. On the return of the mortgage, executed, with a certificate of the bishop's registrar that the living is not under sequestration, we forward the mortgage, together with our certificate of its proper completion, and Mr. Hunt's certificate of the approval of the plans, to the Bounty Office. I should explain that, together with the mortgage, we prepare a bond to be entered into by the nominee and his surety. They have to give a bond to the bishop; and if there be any money to be expended over and above the money to be lent, we have a second bond, which bond carries a stamp; those bonds also are returned to us.

839. And they go on to the Bounty Board. I presume?—No; the bonds, together with the plans and specifications, are ultimately sent by us to the Bishop's Registry. On our certifying the mortgage to the Bounty Board, we state that the nominee, giving his name, is entitled to receive

ceive a cheque; and the nominee's receipt is on the back of the deed. We, in due course, receive from Mr. Hodgson a cheque payable to the order of the nominee; we enter it in our cheque register, and then countersign it, and forward it to the nominee. The counterpart mortgage is sealed by the Governors at the first Board, and is afterwards forwarded by us to the incumbent; that completes the business.

840. Are the mortgages and the documents retained in the Bounty Office?—The mortgage is retained in the Bounty Office; the bond is in the Bishop's Registry.

841. With regard to the costs, who pays them?—The incumbent pays the costs; but by the last Act of Parliament, the 28 & 29 Vict., he is permitted to borrow money for them, and to include them in the estimate of the expenses. He was not permitted to do so before, but he can now borrow money for the costs of the mortgage and for the architect's commission. The costs are a fixed sum.

842. Is there a scale of charges, or is it merely the ordinary professional charge?—We have a scale for nearly all things. The charge for a mortgage is 10*l.* 15*s.*, two guineas of which are paid to the Bishop's Registrar for the commission.

843. That is cash out of pocket?—We pay that out of pocket.

844. Does it include the preparation and engrossing?—It includes everything, and all our correspondence. That is the whole business connected with the mortgage.

845. Is that a fixed charge in every case?—It is a fixed charge in every case, and you will see it in the paper of instructions.

846. Besides stamps, I suppose?—The mortgages are not liable to stamp duty, except if there are extra bonds; these are liable.

847. This machinery sounds rather cumbrous, as you describe it; do you think that it is simple?—It is perfectly simple, and if it appears cumbrous I am afraid I have not expressed myself clearly. There is but one reference to the bishop's secretary, and that is to issue the commission.

848. Do you ascertain the facts, on the whole, to be perfectly satisfactory?—Quite so.

849. Has there been any question as to the value of a living?—Not the slightest. We have it on oath; it is required by Act of Parliament.

850. Do you know what is the amount which is now out on mortgage in this way?—On the 31st of December there were in existence 2,559 mortgages, and the amount was 950,685*l.*; a little short of a million.

851. Is that about the ordinary amount now?—I should think so. The average annual number of mortgages for the last seven years has been 117.

852. What becomes of the documents when the mortgage is paid off; are they returned to the incumbent?—If he applies for them, I believe they are returned to him. They are perfectly useless.

853. With regard to the sale of lands of the Bounty Board, those are referred to you by the Board in the first instance, are they not?—After they have been approved by the Board.

854. What steps do you take about them?—

We have instructions whether we are to sell by private contract or by public auction.

855. Do you take just the ordinary steps which a solicitor would take?—Just the steps which a solicitor would take. If it is to be sold by public auction we take the necessary steps, and in communication with the incumbent appoint an auctioneer, and do all that is necessary; if it is to be sold by private contract, we send the contract to the gentleman who is going to buy.

856. I think it has been stated to the Committee that the Board bore the expenses of those sales now, and not the vendors; is not that so?—The Board are the vendors on the sales.

857. But do they debit the livings in respect of which they hold land, with the cost of the sale?—They pay it out of the proceeds of the sale.

858. That is paid to you by the Board, I presume, before the proceeds of the sale are invested?—The sale is carried out in the ordinary way. The purchaser pays his money to the Bounty Office, and in due course we send our Bill, together with the auctioneer's, surveyor's, and other bills to the office.

859. Is that an ordinary professional charge?—It is not the ordinary professional charge; it is according to a fixed scale.

860. That is, I suppose, to a certain extent in proportion to the amount?—No, the scale fixes so much for one thing and so much for another.

861. How long has that system been in operation?—It was established long before our time; I believe it has been in operation for the last 30 years.

862. Is it the same with respect to purchases?—It is the same with respect to purchases.

863. As I understand your description, the Board do little more, having once decided that they will make a loan or a sale, than pass those papers on to you, and be guided by your advice?—We merely carry it out after we receive the instructions of the Board. We have no discretion in the matter. The Board exercise a discretion, and they investigate every case.

864. Mr. John Peel.] You state that the charges upon each mortgage are 10*l.* 15*s.*; does that include all charges of every kind whatsoever, whether the mortgage be small or large?—It includes every charge.

865. You stated, I think, that two guineas of that went to the bishop's secretary?—Yes.

866. Is that the bishop of the diocese?—It is the bishop of the diocese who issues a commission in cases where a commission is required. If the application were for an entirely new house, and there was no house before, so that there could be no dilapidation, there is no commission, and the charge in such case would be only 8*l.* 13*s.*

867. But where a commission is issued, what does the secretary do for the two guineas?—He issues the commission, and he gets the documents signed by the bishop.

868. Lord Charles Bruce.] Do you attend all the Boards?—I do.

869. And the Committees also?—And the Committees; that is to say, the meetings where there are not sufficient to make a quorum; because, as I should observe, at those Committees all the business is transacted just as if it had been a Board, with the exception of sealing the deeds.

870. Chairman.] The Committee vote themselves

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Mr. *S. Dunning.* selves a quorum and do business; is that so?—They do business, and there is no inconvenience whatever in its being a Committee, instead of a Board, excepting the inconvenience which we, the solicitors, suffer from not getting our deeds sealed.

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871. And the inconvenience which the parties suffer from not getting their money, I presume?—It does not delay business in any way, it is acted upon as if it had been done.

872. Mr. *Schreiber.*] Have those failures ever happened two months consecutively within your experience?—I think certainly not.

873. Measures would be taken to prevent it, I presume?—Possibly so; but practically I think there would be no difficulty at all in getting attendance if the practice was different from what it is.

874. *Chairman.*] If you want one to make a quorum, you whip up the clerk of the Council, do you not?—He attended once.

875. That was for that object?—Precisely. I think that if at the beginning of every year a card was sent to every governor, showing him the meetings for the year, we should very soon have Boards; but, although, when the former Committee of the House of Commons sat, it was known that the attendance was pretty much confined to the bishops, the Committee did not recommend that it should be extended in any way.

876. Practically it is a small committee of the bishops, is it not?—Practically it is a meeting of bishops.

877. Headed by the Archbishop of Canterbury?—The Archbishop is always there. Due consideration is given to every case; the plans are examined, and the answers to those commissions which are sent out are all read.

878. Mr. *Schreiber.*] The bishops are good men of business, are they not?—Very good men of business, the main of them; I think that we had as good a man of business as possible in the Bishop of Winchester; for years he always attended at the Bounty Board.

879. Has not some case arisen between this Board and the Lincoln Church Association?—Some men, who call themselves the Lincoln Church Association, made a complaint to the Home Office; the circumstances are before the Committee.

880. Have you any statement which you wish to make to the Committee upon that subject?—Merely that they were perfectly ignorant of the whole machinery of the Bounty Board, and that they did not understand common arithmetic. We sent in an answer to Sir George Grey, and he was satisfied; and I may add that we have, since this inquiry has been going on, communicated with the Bishop of Lincoln, and also with the Archdeacon of Lincoln, to ascertain if this association had any diocesan character, and we find it had none whatever; it was merely a voluntary association.

881. *Chairman.*] I think the gentleman who signed himself president of the association is dead?—The president is dead, but the secretary is living.

882. Is there anything else which you wish to state to the Committee?—If the Committee go into the question of amalgamation between the

Bounty Board and the Ecclesiastical Commissioners, I should wish to be examined upon that.

883. Have you any personal acquaintance with the Ecclesiastical Commissioners, or are you employed by them?—Yes; I do some of their business in connection with Southwark.

884. Is there not some conflict of jurisdiction with reference to the sales of property, or the purchase of tithe rent-charge between the Bounty Board and the Ecclesiastical Commission?—The Bounty Board have greater powers than the Ecclesiastical Commission, and they sometimes borrow our powers by sending cases to us.

885. Then have you more statutory powers than they have?—We have more statutory powers than they have.

886. In respect of what is that statutory power?—Acquiring lands for livings, but year by year they get more power; they are rather aggressive.

887. You think they are aggressive upon you?—Yes.

888. Mr. *Schreiber.*] Is it a distinct feature of the operations of the Board, that they keep income and capital apart?—Perfectly, and they make all their grants in capital sums.

889. Capital sums derived from the cumulated income a year?—Yes, capital sums derived from the cumulated income of the previous year. At the end of every year a balance is struck, and then the governors ascertain what is their net income, and that they make into capital, in appropriating it to different livings, so that they cannot possibly overspend themselves; they cannot possibly spend money before they have got it.

890. Nor can their resources be exhausted?—No.

891. Do you know whether the Ecclesiastical Commission maintains the same rigid separation of income from capital?—No, the Ecclesiastical Commissioners are in the main augmenting by perpetual annuities and not in capital sums. They began with perpetual annuities, and they ceased their augmentations altogether in the year 1844, recommencing them in 1856. They made their augmentations by capital sums until 1864, and then they resorted again to perpetual annuity, and they are doing it by perpetual annuity now.

892. That is the great difference between the operations of the two Boards, is it not?—That is the great difference; what we give in augmentation, we have. The Commissioners have to provide capital now, or they will have to provide capital by-and-bye for all the annuities to which they are pledged.

893. *Chairman.*] That is, assuming that they have not any capital now upon which they are making a charge?—They are assuming, I imagine, that they have capital in the shape of land. But supposing that the land does not turn out to be of sufficient value, they are doing what railway companies are doing, namely, paying dividends out of capital, in the hope that in the end it will come all right.

894. Taking your present consol stock debit at the present price of consols, it appeared the other day that you were distributing an augmentation which does not exist?—I do not know about the prices of consols, but it has always been done at one price.

895. To

895. To make a distinct surplus of 10,647*l.* for this year, it was necessary to take stock at 91 per cent., whereas stock is now upwards of 95, and if you took the stock at 95 you would have a minus surplus; is not that so?—Next year it might be all the other way, and so I suppose it is right to adopt a standard price.

896. But still does not the objection apply equally in your case as in the case of the Ecclesiastical Commissioners; that you may over-value the funds in hand?—We may over-value, certainly, or we may under-value.

897. *Mr. Howard.*] Do you see your way to any improved machinery for increasing the value of small livings?—I think it would be well worth consideration whether the suggestion or hint thrown out by the Bishop of Carlisle of a re-valuation of the livings should not be followed.

898. *Chairman.*] Would that be viewed with favour by the Bounty Board?—Since I have been connected with the Bounty Board I am not aware that it has ever been considered; I had nothing to do with the Bounty Board at the time of the last Committee, subsequently to which there was a Bill brought in.

899. With regard to the recovery of overdue interest on the mortgages, is that any large amount?—No, not to any large amount. There is scarcely any loss, but it involves a great deal of trouble in correspondence. I find that during last year arrears amounting to over 20,000*l.* were referred to us which we had to recover. At the end of 40 days after payment is due we receive from the Bounty Office a note to say that certain incumbents are in arrear. The particulars of these arrears we enter in a register book, and get into communication with the incumbents. We send out a lithographed circular first, and if no attention is paid to that we write a letter.

900. Is that charged to the Board?—We get a small salary of 200*l.* a-year for doing various duties.

901. Is that duty included in it?—That duty is included in it. The correspondence of our office on the business of the Bounty is heavy. I calculated, the other day, that if I charged only half-a-crown a-piece for letters we wrote last year, we should get 500*l.* a-year; we wrote over 4,000 letters.

902. Have you often cases of sequestration?—Very seldom; we have not had a case for some years.

903. Is there anything else that you wish to add to your evidence?—The honourable Member for Cambridge, the other day, asked if we had any return showing the amount of benefactions? I have had a return prepared of the benefactions which have been received during two periods of twelve years, viz., from 1845 to 1856, during which time the Ecclesiastical Commissioners suspended their grants, and from 1857 to 1868, during which time the Ecclesiastical Commissioners' grants have been in full operation. I wish to show the Committee the difference between the two sums; one is 459,000*l.*, and the other is 301,000*l.*, so that in the course of a few years, when the Commissioners' powers of augmentation necessarily will end, we may suppose that the augmentations by Queen Anne's Bounty will again increase.

904. But are these merely benefactions re-

ceived in respect of grants out of your income?—Yes.

905. Not the total augmentation?—No.

906. *Mr. Schreiber.*] To elicit your grants from the public?—Quite so; so that it is fair to infer that when the time comes at which the Commissioners must necessarily cease their augmentations (because they must cease when they have got in all the surplus revenues of the Church) the benefactions to Queen Anne's Bounty will again increase in the same proportion.

907. *Chairman.*] The offers of the Ecclesiastical Commissioners being so much more liberal than yours naturally draw away the offers of benefactions from you?—They have more benefactions than they can meet, I believe, and that would be another reason against any amalgamation, because all our benefactions would be swamped in the benefactions at present offered to the Commissioners.

908. You talk of amalgamation as if it involved your being swamped in the Ecclesiastical Commission; but might it not be put in the other way, that the Ecclesiastical Commission might be swamped in you?—It was a matter that was very seriously considered at the time that they recommenced their augmentation, whether Queen Anne's Bounty ought not to be put on a sufficient footing and dispense all the monies, leaving it to the Commissioners to raise them.

909. The objects are the same, are they not?—The objects are the same, but the Commissioners have a very large business in the way of turning over the estates of the Church.

910. The appropriation of the surplus revenues is really the same, though the mode in which it is done differs?—Precisely, I heard great doubts expressed by persons very favourable to the Commissioners whether Queen Anne's Bounty Board ought not to be so constituted as to give away the whole of the money.

911. The Bishop of Winchester was a very active member of your Board, and also a very active member of the Ecclesiastical Commission, was he not?—He was.

912. He was a member of the Estates Committee, I believe?—He was.

913. *Lord Charles Bruce.*] Have you any difficulty in recovering the arrears of first fruits and tenths?—Very rarely. There are a few men who are always in arrear, as there are among laymen, and who never pay their debts if they can help it, but they all pay with a little pressure.

914. But the recovery of arrears is part of your duty, is it not?—That is part of my duty, and it is an unpleasant part of my duty, because if they are in arrear after two years, I have to issue an Exchequer process against them; but, as an Exchequer process is rather a fearful thing, they pay.

915. *Chairman.*] Have you ever had to enforce that terrible denunciation?—Yes, it is a writ issued to the sheriff of the county.

916. Has the writ the operation of an extent?—I do not believe that it ever goes to that. The sheriff writes to the clergyman, telling him that he has the writ; and we also keep the writ in our office after we have got it; and give every opportunity for the money being paid.

917. *Mr. Schreiber.*]

*Mr.
S. Dunning.*
7 July
1868.

Mr. 917. Mr. *Schreiber*.] What is the average
S. Dunning. amount in arrear from year to year, of those
 7 July mortgages?—They are always becoming due at
 1868. all times of the year; you cannot fix any period
 at all; the interest and instalment are payable
 yearly. We do not regard the matter as serious

if an incumbent pays within a reasonable time
 after the year becomes due, but when he gets
 two years into arrear, then of course we resort to
 measures against him. On the whole, however,
 they pay very well, and the only question is the
 trouble

Mr. SIMON DUNNING, re-called; and further Examined.

Mr. 1135. *Chairman*.] WHAT explanation can you
S. Dunning. give about the Lanchester case, which has been
 9 July referred to?—The old parsonage house was sold
 1868. under the Act of Parliament, not by the
 governors, but they were the recipients of the
 money, and when the time came for laying out
 the proceeds of the sale in the new parsonage, to
 which Mr. Christian has been referring, the
 governors, of course, required a set of plans.

1136. And they required also a copy of the
 contract with the builder, did they not?—They
 have nothing to do with that. If the building a
 new parsonage house was commenced before the
 old one was sold, there was no blame to be at-
 tached to the Governors of Queen Anne's
 Bounty.

1137. Not as a matter of blame, but as a
 matter of business, would not a certificate by
 Mr. Hunt, or some competent person, as to the
 house, have been quite sufficient without their
 having required copies of documents which are
 really valueless?—It is the rule of the governors,
 where they lay out money in the erection of a
 house, to require the necessary plans and speci-
 fications.

1138. But the house was already erected, was
 it not?—That I do not know, but if so, it was
 erected prematurely; if they erected the house
 with money which did not exist they ought not
 to have done it.

1139. As I understand, a part of the payment
 for the erection of this new house was obtained
 by the sale of land?—By the sale of the old
 house.

1140. Then you required, or you ought to have
 required, some satisfactory evidence that the
 money was to be well laid out?—Yes.

1141. Was not the natural evidence of that
 some competent proof that there was a substan-
 tial and good house erected as the new parson-
 age?—I am merely speaking of the fact as re-
 gards order of time; the house was wholly or
 partly built before the old house was sold.
 When the money came into the hands of the
 governors, they adopted their usual rule, and
 they asked for copies or the originals of the plans
 and specifications of the house on which the
 money was to be laid out.

1142. That money having already been laid
 out?—So Mr. Christian tells us, but I was not
 aware of that.

1143. As a professional man and a man of
 business, do you give it as your candid opinion
 that the rule in that case was a satisfactory one?
 —I think that if there was any departure from
 the proper mode of conducting business it was
 in laying out the money before they had it.

1144. Speaking candidly, was it a satisfactory
 way of dealing with it to ask for plans and con-
 tracts with respect to a house which was already
 erected?—I do not see why the Governors of
 Queen Anne's Bounty ought not to judge of the
 propriety of the house in that case.

1145. Then do you think the rule quite satis-
 factory?—I think so.

1146. As regards the two sets of plans, what
 do you say?—As regards the two sets of plans,
 when a house is built with money appropriated
 to a living and by means of a loan, two sets of
 plans are required, for this reason; Gilbert's Act
 requires that the plans and specifications, after
 the loan is completed, shall be deposited in the
 Bishop's Registry, therefore we are obliged to
 have a set of papers for that purpose. The
 Governors of Queen Anne's Bounty naturally
 require, as the Ecclesiastical Commissioners do,
 a set of papers for deposit in their office as re-
 gards the appropriated money; but I may ob-
 serve, that in nine cases out of 10, the second set
 of those plans are merely tracings, and as regards
 the specifications, the copies may be taken on
 tissue paper, squeezed off in a letter-press.

1147. Mr. *Bentinck*.] What is the cost?—I
 should think 2*l.* or 3*l.* may be the cost of the
 plans and specifications, but I am not a judge.

1148. *Chairman*.] Is not that an ordinary pro-
 fessional charge?—I am not aware.

1149. Whatever it is, those two sets of plans
 have now to be paid for, have they not?—Cer-
 tainly, by some one.

1150. Could it not be equally satisfactory to
 have one set of plans?—If you will have the
 kindness to alter the Act of Parliament.

1151. One set of plans might be sufficient as a
 matter of fact, and without imputing any blame,
 to that extent the clergy have to pay an unne-
 cessary sum, have they not?—The two sets have
 to be paid for.

1152. Mr. *Newdegate*.] Is it not the fact that
 the proof of the existence, form, and character
 of the house upon which the money has been
 expended, which is required by the Bounty
 Board, is the deposit of the plans?—Yes; the
 plans show the character and style of the house,
 the materials, and everything.

1153. *Chairman*.] If the Act of Parliament
 were altered, could you not get on just as well
 with one set of plans as with two sets, by exam-
 ining one set at the Bounty Board, and then send-
 ing that same set to the registrar of the bishop?
 —I should think that we ought to do with one
 set; but I should suggest that it should be de-
 posited at the Bounty Office.

1154. Mr. *Akroyd*.] Irrespective of the Act
 of Parliament, is it not desirable to have a set of
 plans deposited as records in your office?—We
 find great convenience from that system, and it
 is also very convenient for the clergy in the
 country to be able to go to the Bishop's Registry
 to look at the plans.

1155. With regard to the cost of tracings, that
 is clearly much less than the cost of original
 plans, is it not, whatever the professional fee
 may be?—I should presume so.

1156. Mr. *John Peel*.] The tracings are a
 matter of shillings, are they not?—I am not
 aware

aware; but I should think the cost of making them is so small that it is not worth talking about.

1157. Mr. *Akroyd*.] Could you make those tracings in your office?—No.

1158. Mr. *Greville Nugent*.] Do you not consider five guineas a very large charge?—I should be very glad to get five guineas for work of the kind.

1159. Mr. *Powell*.] Are you quite sure that in this case of which you have been speaking, the new house was not built before the money was received for the sale of the old one?—I am aware, from having had something to do with it, that there was an application to lay out the money before the governors had it; and I collect from what Mr. Christian said, that the new house had been built, or partly built before.

1160. Are there cases of temporary advances made by laymen for the purpose?—There may be.

1161. *Chairman*.] You have expressed an opinion about the cost of the copies of plans; are

you in the habit of charging professionally for copies of deeds?—Yes.

1162. Is the cost of those copies anything at all like, or does it bear any proportion to, the regular professional charges; does the cost to a professional man of making a copy of a deed bear anything like a reasonable proportion to the charge made to the client for the copy?—Our law stationer charges us 1½*d.* a folio, and for the paper.

1163. And the charge to the clients is much more than that, is it not?—It is 4*d.*, including the paper for copying. The charge for preparing and engrossing a deed is 2*s.* a folio.

1164. More than double?—Yes.

1165. There is no real proportion, is there, between the customary professional charge for many of these things, and the cost out of pocket?—There is a proportion.

1166. Mr. *Powell*.] Then you are not paid a percentage in that trade, are you?—We are not paid a percentage; I wish we were. I should get rich if we were.

Mr.
S. *Dunning*.
9 July
1868.

Mr. JOSEPH KEECH ASTON, re-called; and further Examined.

1167. *Chairman*.] Do you know anything more about the Lanchester case than Mr. Dunning has stated?—I understood you to ask whether it was necessary to have a second set of plans when the money had been already expended. That was not the fact; the money was still in the hands of the Bounty Board as trustees for that living. The building had been created under the surveillance of the Commission, and one of two courses was left open to the Bounty Board; either to require those interested to follow the ordinary proceedings of the deposit of a set of plans, etc., to sanction the outlay by the board as trustees; or else to have sent down an architect to see that the building was in existence, and well built, which would have been a far more expensive process to the incumbent or Commission. With regard to loans, Mr. Christian was altogether wrong. No set of plans, in the case of all the 3,800 loans which have been made by the Board, are now to be found in the Bounty Office; they are required under the statute to be deposited in the diocesan registry.

1168. But they are required really by the Act, are they not?—Not by the Bounty Office. The second set of plans are required by statutes or rules passed by the Ecclesiastical Commission; and I think that if any alteration is necessary, it is an amendment of the Commissioners' Acts, or rules, to the effect that where they take part in a joint proceeding by loan and grant for the erection of a residence house, either for a deanery, or a canonry, or for a benefice, they should not require a second set of plans. I think that is where the shoe pinches, and that it would be wiser, perhaps, for the Commissioners not to interfere at all in such cases. Some leading architects make no charge for duplicate tracings, which afford easy suitable work for their pupils. It should not be forgotten that the Gilbert's Acts are general public statutes, not applicable merely to the Bounty Board, but to all lenders of money for the objects contemplated by those Acts.

Mr.
J. K. *Aston*

I N D E X.

[*N.B.*—In this Index the figures following the Names of the Witnesses, and those in the Digest of Evidence of each Witness, refer to the Questions in the Evidence; the Figures following *App.* refer to the pages in the Appendix; and the Numerals following *Rep.* to the Pages in the Report].

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Arrangement as regards loans, at meeting of the Standing and General Purposes Committee on 13th July, 1887, to limit the outside amount to two years' net income of the benefice, except in the case of a new house, and to limit the period for repayment to twenty-five years in the case of a new house, and to fifteen years for alterations and improvements, *App.* 90, 91.

Summary of account of all moneys lent under Gilbert's Act and under Amended Acts; total of 4,146,283*l.*, *App.* 102.

Circular letter from the Secretary and Treasurer, explanatory of the terms and conditions under Gilbert's Act and the several Acts passed to amend the same, *App.* 102, 103.

Paper explanatory of the questions to be answered by the incumbent of a benefice in connection with application for a loan to build, rebuild, repair, or purchase a residence house, and for other purposes, under different Acts, *App.* 107–110—Form of affidavit to be sworn by incumbents when making application for loans for building purposes, *ib.* 110, 111.

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Summary of account of sums applied by the Governors to building purposes for the benefices to which the sums belonged; total of 1,864,932, *App.* 111.

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M.

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Explanation respecting the printed agenda prepared for the General Courts of the Committees, draft minutes being recorded thereon; circulation of printed minutes to the Governors on the Summons List, *Le Fanu* 90-97. 103-105—Conclusion as to the necessity of printed minutes and printed agenda; reference to the cash involved, *ib.* 119-127—Statement as to the agenda or minutes not being marked "confidential," *ib.* 131, 132.

Total of about 10,000*l.*, after deducting receipts from fees, as the annual cost of management including all salaries, pensions, rates, taxes, &c., *Le Fanu* 269-271. 278-280.

Aggregate of 13,833 separate amounts received at the office in 1899, the total number of communications dealt with having been 11, 199; *Le Fanu* 334, 335—Great assistance rendered by the Bishops to the Governors in the general administration in the several dioceses, *ib.* 400, 401.

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See also Augmentations. Constitution and Powers of the Board. Dilapidations. Finance and Audit Committee. First Fruits. Legal Department. Letters. Loans. Meetings and Attendances. Office-hours. Sales. Secretary and Treasurer. Staff.

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Practice as to the summoning of the General Court of Governors, fourteen days' notice being given in the "London Gazette," a special notice being sent a week before the meeting to the Governors on the summons list, fifty-two in number, *Le Fanu* 22-39. 57.

Arrangement at an extraordinary General Court once a year of the dates of meetings of the General Court and of the committees for the year: summoning of the former court by notice in the "Gazette," and by special notices to the Governors on the summons list, unless they have expressed a desire to attend and to have notices sent them, *Le Fanu* 26-30. 37-39.

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Two alternative quorums, either seven Governors, including two bishops, or five Governors including not less than three bishops, *Le Fanu* 70-74. 114-116—Considerable difficulty in former years as to attendances: improvement since the Report of the Select Committee of 1868, *ib.* 75-82.

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O.

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R.

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Recent recommendation by the Governors that the holidays of the staff shall be as in the Civil Service, *Le Fanu* 704.

Report of the sub-committee appointed by the Finance Committee of 16th May 1900 to consider a proposed addition to the establishment; confirmation of this Report by the Finance Committee and the General Court, *App.* 94, 95.

Schedule attached to foregoing Report showing the name of each member of the staff, his class and scale of salary, age, years' service, and present salary (as in July 1900), *App.* 94, 95.

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T.

Tenths. Application made annually to each incumbent for Tenths, the amount being a fixed sum, *Le Fanu* 226, 227—Payment of Tenths by each incumbent, who is in receipt of the profits of the living on Christmas Day; total number of applications, there being very few bad debts, though it is necessary occasionally to issue writs, *ib.* 322–327—Aggregate of 4,972 applications for Tenths in 1899, *ib.* 323, 324.

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V.

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RE P O R T

FROM THE

JOINT SELECT COMMITTEE OF THE HOUSE OF LORDS AND
THE HOUSE OF COMMONS

ON THE

QUEEN ANNE'S BOUNTY BOARD;

WITH THE

PROCEEDINGS OF THE COMMITTEE.

Ordered, by The House of Commons, to be Printed ,
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1900

ORDERS OF REFERENCE.

Die Jovis, 28^o Junii 1900.

QUEEN ANNE'S BOUNTY BOARD.

MESSAGE from the Commons that they have appointed a Committee, to consist of five Members, to join with a Committee of the Lords to consider the constitution of Queen Anne's Bounty Board, and to report whether economy and efficiency of administration would be promoted by any change in its constitution or by its amalgamation with any other body; and to request that their Lordships will be pleased to appoint an equal number of Lords to be joined with the Members of that House.

Die Martis, 3^o Julii 1900.

Moved, That the Commons' Message of Thursday last be taken into consideration (The Earl Waldegrave); *agreed to*: The said Message considered accordingly: Then it was *moved* that a Committee of Five Lords be appointed to join with a Committee of the House of Commons to consider the constitution of Queen Anne's Bounty Board, and to report whether economy and efficiency of administration would be promoted by any change in its constitution or by its amalgamation with any other body; *agreed to*.

Then a Message was ordered to be sent to the House of Commons, in answer to their said Message, to inform them of the appointment of the said Committee by this House.

Die Jovis, 5^o Julii 1900.

The Lords following were named of the Committee to join with a Committee of the House of Commons to consider the constitution of Queen Anne's Bounty Board, and to report whether economy and efficiency of administration would be promoted by any change in its constitution or by its amalgamation with any other body; viz.:

Lord Privy Seal (Viscount Cross).	Lord Barnard.
Viscount Gordon (Earl of Aberdeen).	Lord Ashcombe.
Lord Bishop of London.	

Ordered, That such Committee have power to agree with the Committee of the House of Commons in the appointment of a Chairman.

Die Veneris, 6^o Julii 1900.

A message ordered to be sent to the House of Commons to propose that the Joint Committee do meet in Committee Room 1A. on Monday next, at Half-past Three o'clock.

Message from the Commons that they have ordered that the Committee appointed by them to join with the Committee of this House to consider the constitution of Queen Anne's Bounty Board do meet the Lords' Committee in Committee Room 1A. on Monday next, at Half-past Three o'clock, as proposed by their Lordships.

(The following Members of the House of Commons were named of the Committee, viz.:—Sir William Anson, Mr. Stuart-Wortley, Mr. W. F. D. Smith, Mr. Humphreys-Owen, and Mr. Stevenson.)

Die Luncæ, 16° Julii 1900.

The evidence taken before the Joint Committee from time to time to be printed, but no copies to be delivered except to members of the Committee, until further order.

R E P O R T

By the SELECT COMMITTEE appointed to join with a Committee of the House of Commons to consider the constitution of Queen Anne's Bounty Board, and to report whether economy and efficiency of Administration would be promoted by any change in its constitution or by its amalgamation with any other body.

ORDERED TO REPORT,

THAT the Committee have met and have examined the Chief Clerk to Queen Anne's Bounty Board.

They have received a unanimous resolution of the Board requesting that time may be given for the preparation of the evidence which the Board desire to present to the Committee.

The Committee think that this request is a reasonable one.

The Committee state that they entirely agree with the following resolutions of the Court of Queen Anne's Bounty Board :—

(A.) That as a Parliamentary Committee has been appointed to consider the constitution and position of Queen Anne's Bounty, this Court does not think it desirable at the present moment to recommend to the Crown a division of the office of Treasurer and Secretary.

(B.) That the Court recommend that a provisional appointment be made to the joint office.

Considering the late period of the Session, the Committee find that it would not be possible to satisfactorily conclude their inquiry during the present Session. They therefore recommend the re-appointment of the Committee early in the next Session of Parliament.

16 July 1900.

**LORDS AND MEMBERS PRESENT, AND MINUTES OF PROCEEDINGS
AT EACH SITTING OF THE COMMITTEE.**

Die Lunæ, 9^o Julii 1900.

PRESENT :

Lord Privy Seal (Viscount Cross).
Viscount Gordon (Earl of Aberdeen).
Lord Bishop of London.
Lord Barnard.
Lord Ashcombe.

Mr. Stuart-Wortley.
Mr. W. F. D. Smith.
Mr. Stevenson.

The Orders of Reference are read.

It is moved, That the Lord Privy Seal do take the Chair.

The same is *agreed to*.

The course of Proceedings is considered.

Ordered, That the Committee be adjourned to Monday next, at Half-past Eleven o'clock.

Die Lunæ, 16^o Julii 1900.

PRESENT :

Lord Privy Seal (Viscount Cross).
Viscount Gordon (Earl of Aberdeen).
Lord Bishop of London.
Lord Barnard.
Lord Ashcombe.

Sir William Anson.
Mr. Stuart-Wortley.
Mr. W. F. D. Smith.
Mr. Humphreys-Owen.
Mr. Stevenson.

The Lord Privy Seal in the Chair.

The Order of Adjournment is read.

The Proceedings of Monday last are read.

It is moved, That the Committee be an open one.

The same is *agreed to*.

The following Witness is called in, and Examined, viz., Mr. W. R. Le Fanu (*vide the Evidence*.)

The course of Proceedings is further considered.

After discussion, a Draft Report is laid before the Committee, and *agreed to* (*vide the Report*).

Ordered, That the Lord in the Chair do make the said Report to The House; and that Mr. Stuart-Wortley do make the said Report to the House of Commons.

R E P O R T

FROM THE

JOINT SELECT COMMITTEE OF THE HOUSE
OF LORDS AND THE HOUSE OF
COMMONS,

ON THE

QUEEN ANNE'S BOUNTY BOARD;

WITH THE

PROCEEDINGS OF THE COMMITTEE.

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R E P O R T .

FROM THE

JOINT SELECT COMMITTEE OF THE HOUSE OF LORDS AND
THE HOUSE OF COMMONS

ON

RAILWAYS (IRELAND) AMALGAMATION BILLS;

WITH THE

PROCEEDINGS OF THE COMMITTEE.

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1900.

GREAT SOUTHERN AND WESTERN AND WATERFORD AND CENTRAL IRELAND RAILWAY COMPANIES AMALGAMATION BILL [LORDS], GREAT SOUTHERN AND WESTERN AND WATERFORD, LIMERICK, AND WESTERN RAILWAY COMPANIES AMALGAMATION BILL [LORDS], AND MIDLAND GREAT WESTERN RAILWAY OF IRELAND BILL [LORDS].

[*Friday, 30th March 1900*]:—Message from the Lords, THAT they have come to the following Resolution, viz.: "That it is desirable that the Great Southern and Western and Waterford and Central Ireland Railway Companies Amalgamation Bill [Lords], the Great Southern and Western and Waterford, Limerick, and Western Railway Companies Amalgamation Bill [Lords], and the Midland Great Western Railway of Ireland Bill [Lords], be referred to a Joint Committee of both Houses of Parliament."

[*Thursday, 5th April 1900*]:—Lords Message (30th March), That it is desirable that the Great Southern and Western and Waterford and Central Ireland Railway Companies Amalgamation Bill [Lords], the Great Southern and Western and Waterford, Limerick, and Western Railway Companies Amalgamation Bill [Lords], and the Midland Great Western Railway of Ireland Bill [Lords], be referred to a Joint Committee of both Houses of Parliament, considered:—

Resolved, That this House doth agree with the Lords in the said Resolution.

Message to the Lords to acquaint them therewith.

[*Tuesday, 1st May 1900*]:—Message from the Lords, That they have appointed a Committee of Four Lords, to join with a Committee of this House, to consider the Great Southern and Western and Waterford and Central Ireland Railway Companies Amalgamation Bill, the Great Southern and Western and Waterford, Limerick, and Western Railway Companies Amalgamation Bill, and the Midland Great Western Railway of Ireland Bill; and request this House to appoint an equal number of its Members to be joined with the said Lords.

[*Friday, 4th May 1900*]:—Lords Message (1st May) relating to the appointment of a Joint Committee on Railways (Ireland) Amalgamation Bills, considered:—

Ordered, That a Committee of Four Members be appointed to join with the Committee of the Lords to consider the Great Southern and Western and Waterford and Central Ireland Railway Companies Amalgamation Bill, the Great Southern and Western and Waterford, Limerick, and Western Railway Companies Amalgamation Bill, and the Midland Great Western Railway of Ireland Bill, as requested by their Lordships in their Message of 1st May.

Message to the Lords to acquaint them therewith.

Ordered, That the said Committee be nominated by the Committee of Selection.

Ordered, That the Committee have power to send for persons, papers, and records.—(*Chairman of Ways and Means*.)

[*Friday, 11th May 1900*]: Mr. Halsey reported from the Committee of Selection; That they had nominated the following Four Members to serve on the Joint Committee of Lords and Commons on the Railways (Ireland) Amalgamation Bills:—Mr. Buchanan, Sir Samuel Montagu, Mr. Pierpoint, and Mr. Usborne.

Report to lie upon the Table.

[*Friday, 11th May 1900*]:—Message from the Lords, That they propose that the Joint Committee appointed for the consideration of the Great Southern and Western and Waterford, Limerick, and Western Railway Companies Amalgamation Bill, the Midland Great Western Railway of Ireland Bill, and the Great Southern and Western and Waterford and Central Ireland Railway Companies Amalgamation Bill, do meet in Committee Room B, on Friday next, at Two o'clock.

Lords Message considered.

Ordered, That the Committee of this House do meet the Lords Committee as proposed by their Lordships.

Message to the Lords to acquaint them therewith.

[*Tuesday, 15th May 1900*]:—Mr. Halsey reported from the Committee of Selection : That it had discharged the following Member from the Joint Committee of Lords and Commons on the Railways (Ireland) Amalgamation Bills:—Mr. Buchanan ; and had appointed in substitution: Mr. Hazell.

Report to lie upon the Table.

The following Members of the House of Lords were appointed to serve on the Committee: viz. :

The Earl Spencer.
Lord Chelmsford.

Lord Glanusk.
Lord Hawkesbury.

Lords' Minutes.

[*Die Veneris, 13^o Julii 1900*]:—Great Southern and Western, and Waterford and Great Ireland Railway Companies Amalgamation Bill.—Report from the Committee of Selection, That the Lord Heneage be proposed to the House as a Member of the Select Committee on the said Bill in the place of the Lord Chelmsford, read, and *agreed to*.

R E P O R T.

THE SELECT COMMITTEE appointed to join with a Committee of the House of Lords, to whom the Great Southern and Western, and Waterford, Limerick, and Western Railway Companies Amalgamation Bill, the Midland Great Western Railway of Ireland Bill, and the Great Southern and Western and Waterford and Central Ireland Railway Companies Amalgamation Bill, now pending in the House of Lords were referred :—HAVE considered the said Bills, and gone through the Bills, and made Amendments thereunto.

20 July 1900.

LORDS AND MEMBERS PRESENT, AND MINUTES OF PROCEEDINGS
AT EACH SITTING OF THE COMMITTEE.

Friday, 18th May 1900.

PRESENT :

Lord Chelmsford.
Lord Glanusk.
Lord Hawkesbury.
Earl Spencer.

Mr. Hazell.
Mr. Pierpoint.
Mr. Usborne.

The Earl SPENCER was called to the Chair.

The Committee deliberated.

[Adjourned till Monday next, at Half-past Eleven o'clock.]

Monday, 21st May 1900.

PRESENT :

The Earl SPENCER in the Chair.

Lord Chelmsford.
Lord Hawkesbury.
Lord Glanusk.

Sir Samuel Montagu.
Mr. Hazell.
Mr. Pierpoint.
Mr. Usborne.

The Committee deliberated.

Ordered,—THAT the Great Southern and Western, and Waterford, Limerick, and Western Railway Companies Amalgamation Bill [Lords], and the Midland Great Western Railway of Ireland Bill [Lords], be considered together.

Counsel and Parties called in.

Mr. Pope, q.c., Mr. Pember, q.c., Mr. Balfour Browne, q.c., Mr. Seymour Bushe, q.c., Mr. Macinerney, q.c., Mr. Ernest Moon, and Mr. G. O. Bellews appear as Counsel for the Promoters of the Bill.

GREAT SOUTHERN AND WESTERN, AND WATERFORD, LIMERICK, AND
WESTERN RAILWAY COMPANIES AMALGAMATION BILL

Mr. Pope, q.c., Mr. Pember, q.c., Mr. Balfour Browne, q.c., Mr. Seymour Bushe, q.c., Mr. Macinerney, q.c., Mr. Ernest Moon, and Mr. G. O. Bellews appear as Counsel for the Promoters of the Bill.

Messrs. *Sherwood and Company* appear as Agents.

The following Petitions against the Bill are read :

The Petition of the Midland Great Western of Ireland Company.

Mr. Littler, c.b., q.c., Mr. Blennerhassett, q.c., and Mr. Vesey Knox appear as Counsel for the Petitioners.

Messrs. *Martin and Leslie* appear as Agents.

The Petition of the West Clare Railway Company.

Counsel reserved.

Messrs. *Holmes and Company* appear as Agents.

The Petition of the Athenry and Tuam Extension of Claremorris Railway Company (against
eration).

Mr. J. Fitzgerald Murphy appears as Counsel for the Petitioners.

Messrs. Holmes and Company appear as Agents.

The Petition of the Waterford Corporation.

Counsel reserved.

Messrs. Holmes and Company appear as Agents.

The Petition of the County Council of the South Riding of Tipperary.

Counsel reserved.

Messrs. Bircham and Company appear as Agents.

The Petition of the Tralee and Fenit Pier and Harbour Commissioners and Tralee Urban
District Council.

Mr. W. M. Acworth appears as Counsel for the Petitioners.

Messrs. Holmes and Company appear as Agents.

The Petition of the Earl of Listowel.

Counsel reserved.

Messrs. Holmes and Company appear as Agents.

The Petition of the Tipperary Town Commissioners.

Mr. J. F. Taylor, Q.C., appears as Counsel for the Petitioners.

Messrs. Bircham and Company appear as Agents.

The Petition of the Limerick and Kerry, Rathkeale and Newcastle Junction, and Tralee and
Fenit Railway Companies.

Mr. W. M. Acworth appears as Counsel for the Petitioners.

Messrs. Martin and Leslie appear as Agents.

The Petition of the Waterford Harbour Commissioners.

Mr. Blennerhassett, Q.C., and **Mr. J. W. Greig** appear as Counsel for the Petitioners.

Messrs. Holmes and Company appear as Agents.

The Petition of the Cork Corporation.

Counsel reserved.

Messrs. Holmes and Company appear as Agents.

The Petition of the Kerry County Council.

Counsel reserved.

Messrs. Holmes and Company appear as Agents.

The Petition of the Cork County Council.

Mr. W. M. Acworth appears as Counsel for the Petitioners.

Messrs. Grahames, Currey, and Spens appear as Agents.

The Petition of the Cork Harbour Commissioners.

Mr. W. M. Acworth appears as Counsel for the Petitioners.

Messrs. Grahames, Currey, and Spens appear as Agents.

The Petition of the Sligo, Leitrim, and Northern Counties Railway Company.

Mr. C. C. Hutchinson appears as Counsel for the Petitioners.

Messrs. Batten and Company appear as Agents.

The Petition of the Sligo County Council.

Counsel :—**Mr. John O'Connor**.

Messrs. Clay and Close appear as Agents.

The

The Petition of the Great Western Railway Company.

Counsel reserved.

Mr. *R. R. Nelson* appears as Agent.

The Petition of the Grand Canal Company.

Mr. *Chaytor* appears as Counsel for the Petitioners.

Messrs. *Rees and Frere* appear as Agents.

The Petition of the Dublin, Wicklow, and Wexford Railway Company.

The Hon. *J. D. Fitzgerald*, Q.C., and Mr. *Claud Baggallay*, Q.C., appear as Counsel for the Petitioners.

Messrs. *Holmes and Company* appear as Agents.

The Petition of the Limerick Harbour Commissioners.

Mr. *Pembroke Stephens*, Q.C., and Mr. *W. M. Acworth* appear as Counsel for the Petitioners.

Messrs. *Batten and Company* appear as Agents.

The Petition of the Limerick Corporation.

Mr. *J. F. Taylor*, Q.C., and Mr. *Pierce Mahoney* appear as Counsel for the Petitioners.

Messrs. *Batten and Company* appear as Agents.

The Petition of the Dublin Port and Docks Board.

Counsel reserved.

Messrs. *Dyson and Company* appear as Agents.

The Petition of the Merchants, Traders, Freighters, &c. of Limerick.

Messrs. *W. and W. M. Bell* appear as Agents.

The Petition of the Waterford, Limerick, and Western Railway Company (against alteration and for amendment in private Bill).

Messrs. *W. and W. M. Bell* appear as Agents.

The Petition of the Sligo Harbour Commissioners.

Messrs. *Clay and Close* appear as Agents.

The Petition of the Limerick County Council.

Counsel:—Mr. *John O'Connor*.

Messrs. *Batten and Company* appear as Agents.

The Petition of Messrs. Henry Denny and Sons, Limited.

Messrs. *W. and W. M. Bell* appear as Agents.

MIDLAND GREAT WESTERN RAILWAY OF IRELAND BILL.

Mr. *Little*, C.B., Q.C., Mr. *Blennerhusselt*, Q.C., and Mr. *Vesey Knox* appear as Counsel for the promoters of the Bill.

Messrs. *Martin and Leslie* appear as Agents.

The following Petitions against the Bill are read :

The Petition of the Athenry and Tuam Extension to Claremorris Railway Company.

Mr. *J. Fitzgerald Murphy* appears as Counsel for the Petitioners.

Messrs. *Holmes and Company* appear as Agents.

The Petition of the Waterford Corporation.

Counsel reserved.

Messrs. *Holmes and Company* appear as Agents.

The Petition of the County Council of the South Riding of Tipperary.

Counsel reserved.

Messrs. *Bircham and Company* appear as Agents.

The Petition of the Dublin County Council.

Counsel reserved.

Messrs. *Batten and Company* appear as Agents.

The Petition of the Tralee and Fenit Pier and Harbour Commissioners and the Tralee Urban District Council.

Mr. *W. M. Acworth* appears as Counsel for the Petitioners.

Messrs. *Holmes and Company* appear as Agents.

The Petition of the Earl of Listowel.

Counsel reserved.

Messrs. *Holmes and Company* appear as Agents.

The Petition of the Limerick and Kelly, Rathkeale, and Newcastle Junction, and Tralee and Fenit Railway Companies.

Mr. *W. M. Acworth* appears as Counsel for the Petitioners.

Messrs. *Lake and Lake* appear as Agents.

The Petition of the Waterford Harbour Commissioners.

Mr. *J. W. Greig* appears as Counsel for the Petitioners.

Messrs. *Holmes and Company* appear as Agents.

The Petition of the Cork Harbour Commissioners.

Mr. *W. M. Acworth* appears as Counsel for the Petitioners.

Messrs. *Grahames, Currey, and Spens* appear as Agents.

The Petition of the Sligo County Council.

Counsel reserved.

Messrs. *Clay and Close* appear as Agents.

The Petition of the Waterford, Limerick, and Western Railway Bill.

Counsel reserved.

Messrs. *W. and W. M. Bell* appear as Agents.

The Petition of the Dublin, Wicklow, and Wexford Railway Company.

Counsel reserved.

Messrs. *Holmes and Company* appear as Agents.

The Petition of Nathaniel Francis Preston.

No person appears in support of this Petition.

The Petition of the Great Southern and Western Railway Company.

Mr. *Pope*, q.c., Mr. *Pember*, q.c., Mr. *Balfour Browne*, q.c., Mr. *Bushe*, q.c., Mr. *Macinerney*, q.c., Mr. *Moon*, and Mr. *Bellews* appear as Counsel for the Petitioners.

Messrs. *Sherwood and Company* appear as Agents.

The Petition of the Great Western Railway Company.

Counsel reserved.

Mr. *R. R. Nelson* appears as Agent.

The Petition of the Fishguard and Rosslare Railways and Harbour Company.

Counsel reserved.

Mr. *R. R. Nelson* appears as Agent.

The Petition of Messrs. Arthur Guinness, Son, and Company, Limited.

No person appears in support of this Petition.

The Petition of the Sligo, Leitrim, and Northern Counties Railway Company

Mr. C. C. Hutchinson appears as Counsel for the Petitioners.

Messrs. Batten and Company appear as Agents.

The Petition of the Limerick Corporation.

Counsel reserved.

Messrs. Batten and Company appear as Agents.

The Petition of the Limerick Harbour Commissioners.

Counsel reserved.

Messrs. Batten and Company appear as Agents.

The Petition of the Sligo Harbour Commissioners.

Counsel reserved.

Messrs. Clay and Close appear as Agents.

GREAT SOUTHERN AND WESTERN, AND WATERFORD, LIMERICK, AND WESTERN
RAILWAY COMPANIES AMALGAMATION BILL, AND MIDLAND GREAT WESTERN
RAILWAY OF IRELAND BILL.

Preambles of the Bills read the first time.

Mr. Pope, q.c., was heard in support of the Preamble of the Great Southern and Western, and Waterford, Limerick, and Western Railway Companies Amalgamation Bill, and called the following evidence:—

Mr. Percy Brodrick Bernard, sworn, and examined.

Proceedings on the two Bills adjourned till To-morrow.

[Adjourned till To-morrow, at Half-past Eleven o'clock.

Tuesday, 22nd May 1900.

PRESENT:

The Earl SPENCER in the Chair.

Lord Chelmsford.
Lord Hawkesbury.
Lord Glanusk.

Sir Samuel Montagu.
Mr. Hazell.
Mr. Pierpoint.
Mr. Usborne.

GREAT SOUTHERN AND WESTERN, AND WATERFORD, LIMERICK, AND WESTERN
RAILWAY COMPANIES AMALGAMATION BILL, AND MIDLAND GREAT WESTERN
RAILWAY OF IRELAND BILL, further considered.

Evidence in support of the Preamble of the Great Southern and Western, and Waterford, Limerick, and Western Railway Companies Amalgamation Bill—*continued*.

Mr. Percy Brodrick Bernard, recalled, and further examined.

The Earl Cawdor, sworn, and examined.

Proceedings on the two Bills adjourned till To-morrow.

[Adjourned till To-morrow, at Half-past Eleven o'clock.

Wednesday, 23rd May 1900.

PRESENT :

The Earl SPENCER in the Chair.

Lord Chelmsford.
Lord Hawkesbury.
Lord Glanusk.

Sir Samuel Montagu.
Mr. Hazell.
Mr. Pierpoint.
Mr. Usborne.

GREAT SOUTHERN AND WESTERN, AND WATERFORD, LIMERICK, AND WESTERN RAILWAY COMPANIES AMALGAMATION BILL, AND MIDLAND GREAT WESTERN RAILWAY OF IRELAND BILL—continued.

Evidence in support of the Preamble of the Great Southern and Western, and Waterford Limerick, and Western Railway Companies Amalgamation Bill—*continued.*

The Earl Cawdor recalled, and further examined.

Mr. Robert Sanders and Mr. James Ellis Goodbody, sworn, and examined.

Proceedings on the two Bills adjourned till To-morrow.

[Adjourned till To-morrow, at Two o'clock.

Thursday, 24th May 1900.

PRESENT :

The Earl SPENCER in the Chair.

Lord Chelmsford.
Lord Hawkesbury.
Lord Glanusk.

Sir Samuel Montagu.
Mr. Hazell.
Mr. Pierpoint.
Mr. Usborne.

GREAT SOUTHERN AND WESTERN, AND WATERFORD, LIMERICK, AND WESTERN RAILWAY COMPANIES AMALGAMATION BILL, AND MIDLAND GREAT WESTERN RAILWAY OF IRELAND BILL—continued.

Evidence in support of the Preamble of the Great Southern and Western, and Waterford, Limerick, and Western Railway Companies Amalgamation Bill—*continued.*

Mr. Henry R. Glynn, Mr. Cochran Davys, the Very Reverend Dean Staunton, and the Reverend M. Keveney, sworn, and examined.

Proceedings on the two Bills adjourned till To-morrow.

[Adjourned till To-morrow, at Half-past Eleven o'clock.

Friday, 25th May 1900.

PRESENT :

The Earl SPENCER in the Chair.

Lord Chelmsford.
Lord Hawkesbury.
Lord Glanusk.

Sir Samuel Montagu.
Mr. Hazell.
Mr. Pierpoint.
Mr. Usborne.

GREAT SOUTHERN AND WESTERN, AND WATERFORD, LIMERICK, AND WESTERN RAILWAY COMPANIES AMALGAMATION BILL, AND MIDLAND GREAT WESTERN RAILWAY OF IRELAND BILL—continued.

Evidence in support of the Preamble of the Great Southern and Western, and Waterford, Limerick, and Western Railway Companies Amalgamation Bill—*continued.*

Mr. William H. Scarff, Rev. A. R. Staunton, Mr. M. C. Henry, Mr. Thomas Morrin, Mr. D. Murtagh, Mr. C. O'Kelly, Mr. D. Ruddle, Mr. T. Hurley, Mr. W. G. Watson, Mr. William Eaton, Mr. Joshua Johnston, and Mr. C. J. Curran, sworn, and examined.

Proceedings on the two Bills adjourned till Tuesday, 19th June.

[Adjourned till Tuesday, 19th June, at Half-past Eleven o'clock.

Tuesday, 19th June 1900.

PRESENT :

The Earl SPENCER in the Chair.

Lord Chelmsford.
Lord Hawkesbury.
Lord Glanusk.

Sir Samuel Montagu.
Mr. Hazell.
Mr. Pierpoint.
Mr. Usborne.

GREAT SOUTHERN AND WESTERN, AND WATERFORD, LIMERICK, AND WESTERN RAILWAY COMPANIES AMALGAMATION BILL, AND MIDLAND GREAT WESTERN RAILWAY OF IRELAND BILL—*continued.*

Evidence in support of the Preamble of the Great Southern and Western, and Waterford Limerick, and Western Railway Companies Amalgamation Bill—*continued.*

Mr. J. D. Crosbie, Mr. W. H. McCowen, Mr. Samuel M. Hussey, Colonel J. R. P. Nolan, Mr. H. M. A. Murphy, Mr. James McDonnell, Mr. J. W. Batten, q.c., and Mr. R. W. Smith, sworn and examined.

Proceedings on the two Bills adjourned till To-morrow.

[Adjourned till To-morrow, at Half-past Eleven o'clock]

Wednesday, 20th June 1900.

PRESENT :

The Earl SPENCER in the Chair.

Lord Chelmsford.
Lord Hawkesbury.
Lord Glanusk.

Sir Samuel Montagu.
Mr. Pierpoint.
Mr. Usborne.
Mr. Hazell.

GREAT SOUTHERN AND WESTERN, AND WATERFORD, LIMERICK, AND WESTERN RAILWAY COMPANIES AMALGAMATION BILL, AND MIDLAND GREAT WESTERN RAILWAY OF IRELAND BILL—*continued.*

Evidence in support of the Preamble of the Great Southern and Western, and Waterford, Limerick, and Western Railway Companies Amalgamation Bill—*continued.*

Mr. Lawrence Strange and Mr. R. G. Colhoun, sworn, and examined.

Proceedings on the two Bills adjourned till To-morrow.

[Adjourned till To-morrow, at Half-past Eleven o'clock]

Thursday, 21st June 1900.

PRESENT :

The Earl SPENCER in the Chair.

Lord Chelmsford.
Lord Hawkesbury.
Lord Glanusk.

Mr. Pierpoint.
Sir Samuel Montagu.
Mr. Usborne.
Mr. Hazell.

GREAT SOUTHERN AND WESTERN, AND WATERFORD, LIMERICK, AND WESTERN RAILWAY COMPANIES AMALGAMATION BILL, AND MIDLAND GREAT WESTERN RAILWAY OF IRELAND BILL—*continued.*

Evidence in support of the Preamble of the Great Southern and Western, and Waterford Limerick, and Western Railway Companies Amalgamation Bill—*continued.*

Mr. R. G. Colhoun further examined.

Proceedings on the two Bills adjourned till To-morrow.

[Adjourned till To-morrow, at Half-past Eleven o'clock]

Friday, 22nd June 1900.

PRESENT :

The Earl SPENCER in the Chair.

Lord Chelmsford.
Lord Glanusk.
Lord Hawkesbury.

Mr. Hazell.
Sir Samuel Montagu.
Mr. Pierpoint.
Mr. Osborne.

GREAT SOUTHERN AND WESTERN, AND WATERFORD, LIMERICK, AND WESTERN RAILWAY COMPANIES AMALGAMATION BILL, AND MIDLAND GREAT WESTERN RAILWAY OF IRELAND BILL—continued.

Evidence in support of the Preamble of the Great Southern and Western, and Waterford, Limerick, and Western Railway Companies Amalgamation Bill—*continued.*

Mr. R. G. Colhoun, further examined.

Mr. W. J. Goulding, sworn, and examined.

Evidence called in support of the Petition of the Sligo County Council against the Bill.

Mr. W. R. Fenton, sworn, and examined.

Mr. Acworth was heard in support of the petition of the Cork Harbour Commissioners against the Bill, and called evidence.

Mr. J. Price, sworn, and examined.

Proceedings on the two Bills adjourned until Monday next.

[Adjourned until Monday next, at Half-past Eleven o'clock.]

Monday, 25th June 1900.

PRESENT :

The Earl SPENCER in the Chair.

Lord Chelmsford.
Lord Glanusk.
Lord Hawkesbury.

Mr. Hazell.
Sir Samuel Montagu.
Mr. Pierpoint.
Mr. Osborne.

GREAT SOUTHERN AND WESTERN, AND WATERFORD, LIMERICK, AND WESTERN RAILWAY AMALGAMATION BILL, AND MIDLAND GREAT WESTERN RAILWAY OF IRELAND BILL—continued.

Evidence in support of the Petition of the Cork Harbour Commissioners against the Preamble of the Great Southern and Western, and Waterford, Limerick, and Western Railway Amalgamation Bill—*continued.*

Mr. J. Price, further examined.

Evidence called in support of the Petition of the County Council of South Tipperary against Bill.

Mr. E. Cummins and Mr. John O'Brien, sworn, and examined.

Mr. John O'Connor was heard in support of the above Petition against the Bill.

Mr. Pembroke Stephens, Q.C., was heard in support of the Petition of the Limerick Harbour Commissioners against the Bill.

Proceedings on the two Bills adjourned till To-morrow.

[Adjourned till To-morrow, at Half-past Eleven o'clock.]

Tuesday, 26th June 1900.

PRESENT :

The Earl SPENCER in the Chair.

Lord Chelmsford.
Lord Glanusk.
Lord Hawkesbury.

Mr. Hazell.
Sir Samuel Montagu.
Mr. Pierpoint.
Mr. Osborne.

GREAT SOUTHERN AND WESTERN, AND WATERFORD, LIMERICK, AND WESTERN RAILWAY COMPANIES AMALGAMATION BILL, AND MIDLAND GREAT WESTERN RAILWAY OF IRELAND BILL—*continued.*

Mr. *Pembroke Stephens*, q.c., was further heard in support of the Petition of the Limerick Harbour Commissioners against the Preamble of the Great Southern and Western, and Waterford, Limerick, and Western Railway Companies Amalgamation Bill, and called evidence.

Mr. *J. F. Power* and Mr. *A. W. Shaw*, sworn, and examined.

Proceedings on the two Bills adjourned till To-morrow.

[Adjourned till To-morrow, at Half-past Eleven o'clock]

Wednesday, 27th June 1900.

PRESENT :

The Earl SPENCER in the Chair.

Lord Chelmsford.
Lord Glanusk.
Lord Hawkesbury.

Mr. Hazell.
Sir Samuel Montagu.
Mr. Pierpoint.
Mr. Osborne.

GREAT SOUTHERN AND WESTERN, AND WATERFORD, LIMERICK, AND WESTERN RAILWAY COMPANIES AMALGAMATION BILL, AND MIDLAND GREAT WESTERN RAILWAY OF IRELAND BILL—*continued.*

Evidence called in support of the Petition of the Limerick Harbour Commissioners against the Great Southern and Western, and Waterford, Limerick, and Western Railway Companies Amalgamation Bill—*continued.*

Mr. *A. W. Shaw*, further examined.

Mr. *A. Dougall* and Mr. *G. P. Culverwell*, sworn, and examined.

Evidence called in support of the Petition of the Limerick Corporation against the Bill.

Mr. *W. L. Stokes* and Mr. *John Daly*, sworn, and examined.

Proceedings on the two Bills adjourned till To-morrow.

[Adjourned till To-morrow, at Half-past Eleven o'clock]

Thursday, 28th June 1900.

PRESENT :

The Earl SPENCER in the Chair.

Lord Chelmsford.
Lord Glanusk.
Lord Hawkesbury.

Mr. Hazell.
Sir Samuel Montagu.
Mr. Pierpoint.
Mr. Osborne.

GREAT SOUTHERN AND WESTERN, AND WATERFORD, LIMERICK, AND WESTERN RAILWAY COMPANIES AMALGAMATION BILL, AND MIDLAND GREAT WESTERN RAILWAY OF IRELAND BILL—*continued.*

Evidence in support of the Petition of the Limerick Corporation against the Great Southern and Western, and Waterford, Limerick, and Western Railway Companies Amalgamation Bill—*continued.*

Mr. *John Daly*, further examined.

Mr. *Martin*

Mr. *Martin Sheehan*, Mr. *William Holliday*, Mr. *Charles Culhane*, and Mr. *Joseph Bourke*, sworn, and examined.

Mr. *Taylor*, Q.C., was heard in support of the above Petition against the Bill.

Mr. *FitzGerald*, Q.C., was heard in support of the Petition of the Dublin, Wicklow, and Wexford Railway Company against the Bill.

Proceedings on the two Bills adjourned till To-morrow.

[Adjourned till To-morrow, at Half-past Eleven o'clock.]

Friday, 29th June 1900.

PRESENT :

The Earl SPENCER in the Chair.

Lord Chelmsford.
Lord Glanusk.
Lord Hawkesbury.

Mr. Hazell.
Sir Samuel Montagu.
Mr. Pierpoint.
Mr. Usborne.

GREAT SOUTHERN AND WESTERN, AND WATERFORD, LIMERICK, AND WESTERN RAILWAY COMPANIES AMALGAMATION BILL, AND MIDLAND GREAT WESTERN RAILWAY OF IRELAND BILL—*continued*.

Evidence called in support of the Petition of the Dublin, Wicklow, and Wexford Railway Company against the Great Southern and Western, and Waterford, Limerick, and Western Railway Companies Amalgamation Bill.

Mr. *F. W. Pim* and Mr. *A. G. Reed*, sworn, and examined.

Mr. *Blennerhassett*, Q.C., was heard in support of the Petitions of the Corporation of Waterford and of the Waterford Harbour Commissioners against the Bill, and called evidence.

Mr. *Alexander Nelson*, sworn, and examined.

Proceedings on the two Bills adjourned till Monday.

[Adjourned till Monday next, at Half-past Eleven o'clock.]

Monday, 2nd July 1900.

PRESENT :

The Earl SPENCER in the Chair.

Lord Chelmsford.
Lord Glanusk.
Lord Hawkesbury.

Mr. Hazell.
Sir Samuel Montagu.
Mr. Pierpoint.
Mr. Usborne.

GREAT SOUTHERN AND WESTERN, AND WATERFORD, LIMERICK, AND WESTERN RAILWAY COMPANIES AMALGAMATION BILL, AND MIDLAND GREAT WESTERN RAILWAY OF IRELAND BILL—*continued*.

Evidence in support of the Petitions of the Corporation of Waterford and of the Waterford Harbour Commissioners against the Great Southern and Western, and Waterford, Limerick, and Western Railway Companies Amalgamation Bill—*continued*.

Mr. *John Allingham*, Mr. *Francis Shortis*, Mr. *Anthony Graves*, and Mr. *H. J. Ford*, sworn, and examined.

Evidence called in support of the Petition of the Tralee and Fenit Harbour Commissioners against the Bill.

Mr. *Thomas Slattery*, Mr. *Maurice Kelligher*, Mr. *Jeremiah Slattery*, and Mr. *St. John H. Donovan*, sworn, and examined.

Mr. *Acworth* was heard in support of the above Petition against the Bill.

Evidence called in support of the Petition of the Tipperary Town Commissioners against the Bill.

Mr. *Laurence Hayes* and Mr. *Michael Dalton*, sworn, and examined.

Mr. *Taylor*, Q.C., was heard in support of the above Petition against the Bill.

Proceedings on the two Bills adjourned till To-morrow.

[Adjourned till To-morrow, at Half-past Eleven o'clock]

Tuesday, 3rd July 1900.

PRESENT :

The Earl SPENCER in the Chair.

Lord Chelmsford.
Lord Glanusk.
Lord Hawkesbury.

Mr. Hazell.
Sir Samuel Montagu.
Mr. Pierpoint.
Mr. Usborne.

GREAT SOUTHERN AND WESTERN, AND WATERFORD, LIMERICK, AND WESTERN RAILWAY COMPANIES AMALGAMATION BILL, AND MIDLAND GREAT WESTERN RAILWAY OF IRELAND BILL—*continued.*

Mr. *Little*, Q.C., was heard in support of the Preamble of the Midland Great Western Railway of Ireland Bill, and called evidence.

Mr. *C. J. Fergusson*, The Hon. *R. A. Nugent*, Sir *Ralph Cusack*, Mr. *R. W. Greene*, and Mr. *James Nelson*, sworn, and examined.

Proceedings on the two Bills adjourned till To-morrow.

[Adjourned till To-morrow, at Half-past Eleven o'clock]

Wednesday, 4th July 1900.

PRESENT :

The Earl SPENCER in the Chair.

Lord Chelmsford.
Lord Glanusk.
Lord Hawkesbury.

Mr. Hazell.
Sir Samuel Montagu.
Mr. Pierpoint.
Mr. Usborne.

GREAT SOUTHERN AND WESTERN, AND WATERFORD, LIMERICK, AND WESTERN RAILWAY COMPANIES AMALGAMATION BILL, AND MIDLAND GREAT WESTERN RAILWAY OF IRELAND BILL—*continued.*

Evidence in support of the Preamble of the Midland Great Western Railway of Ireland Bill—*continued.*

Mr. *Arthur Jackson*, Mr. *E. J. Tighe*, Mr. *Thomas Tighe*, The Rev. *P. Lyons*, Mr. *Martin McDonough*, Major *J. Wilson Lynch*, Mr. *W. P. Radcliffe*, Mr. *G. H. Lemmon*, The Rev. *Archdeacon Daly*, Mr. *T. Stackpole Mahon*, and Mr. *John F. Power*, sworn, and examined.

Mr. *W. L. Stokes*, recalled, and examined

Mr. *William Smith*, sworn, and examined.

Mr. *St. J. H. Donovan*, recalled, and examined.

Mr. *P. Murphy*, sworn, and examined.

Mr. *A. W. Shaw* and Mr. *C. Culhane*, recalled, and examined.

Proceedings on the two Bills adjourned till To-morrow.

[Adjourned till To-morrow at Half-past Eleven o'clock]

Thursday, 5th July 1900.

PRESENT :

The Earl SPENCER in the Chair.

Lord Chelmsford.
Lord Glanusk.
Lord Hawkesbury.

Mr. Hazell.
Sir Samuel Montagu.
Mr. Pierpoint.
Mr. Usborne.

GREAT SOUTHERN AND WESTERN AND WATERFORD, LIMERICK, AND WESTERN RAILWAY COMPANIES AMALGAMATION BILL, AND MIDLAND GREAT WESTERN RAILWAY OF IRELAND BILL—*continued.*

Evidence in support of the Preamble of the Midland Great Western Railway of Ireland Bill—*continued.*

Mr. Joseph A. Bourke and Mr. Laurence Hayes, recalled, and examined.

Mr. Joseph Tatlow, sworn, and examined.

Proceedings on the two Bills adjourned till To-morrow.

[Adjourned till To-morrow, at Half-past Eleven o'clock.

Friday, 6th July 1900.

PRESENT :

The Earl SPENCER in the Chair.

Lord Chelmsford.
Lord Glanusk.
Lord Hawkesbury.

Mr. Hazell.
Sir Samuel Montagu.
Mr. Pierpoint.
Mr. Usborne.

GREAT SOUTHERN AND WESTERN, AND WATERFORD, LIMERICK, AND WESTERN RAILWAY COMPANIES AMALGAMATION BILL, AND MIDLAND GREAT WESTERN RAILWAY OF IRELAND BILL—*continued.*

Evidence in support of the Preamble of the Midland Great Western Railway of Ireland Bill—*continued.*

Mr. Joseph Tatlow, further examined.

Mr. FitzGerald, Q.C., was heard in support of the Petition of the Athenry and Tuam Extension to Claremorris Railway Company against the Bill, and called evidence.

Mr. F. T. Lewin, Colonel Maurice C. G. Blake, C.B., and the Hon. H. B. Guthrie, sworn, and examined.

Evidence called in support of the Petition of the Dublin, Wicklow, and Wexford Railway Company against the Bill.

Mr. F. W. Pim, recalled, and examined.

Proceedings on the two Bills adjourned till Monday next.

[Adjourned till Monday next, at Half-past Eleven o'clock.

Monday, 9th July 1900.

PRESENT.

The Earl SPENCER in the Chair.

Lord Chelmsford.
Lord Glanusk.
Lord Hawkesbury.

Mr. Hazell.
Sir Samuel Montagu.
Mr. Pierpoint.
Mr. Usborne.

GREAT SOUTHERN AND WESTERN AND WATERFORD, LIMERICK, AND WESTERN RAILWAY COMPANIES AMALGAMATION BILL, AND MIDLAND GREAT WESTERN RAILWAY OF IRELAND BILL—*continued.*

Evidence in support of the Petition of the Dublin, Wicklow, and Wexford Railway Company against the Midland Great Western Railway of Ireland Bill—*continued.*

Mr. F. W. Pim, further examined.

Mr. A. G. Reed, recalled, and examined.

Mr. Baggallay, q.c., was heard in support of the above Petition.

Evidence called in support of the Petition of the County Council of Sligo against the Bill.

Mr. P. A. M'Hugh, a Member of this House, and Mr. John O'Dowd, a Member of this House, sworn, and examined.

Mr. Macinerney, q.c., was heard in support of the above Petition.

Mr. Acworth was heard in support of the Petition of the Cork Harbour Commissioners against the Bill.

Mr. John O'Connor was heard in support of the Petition of the County Council of the South Riding of Tipperary against the Bill.

Mr. Balfour Browne, q.c., was heard in support of the Petition of the Waterford and Limerick and Western Railway Company against the Bill, and called evidence.

Mr. Percy Bernard, recalled, and examined.

Mr. John Conacher, sworn, and examined.

Proceedings on the Bills adjourned till To-morrow.

[Adjourned till To-morrow, at Half-past Eleven o'clock.]

Tuesday, 10th July 1900.

PRESENT:

The Earl SPENCER in the Chair.

Lord Chelmsford.
Lord Glanusk.
Lord Hawkesbury.

Mr. Hazell.
Sir Samuel Montagu.
Mr. Pierpoint.
Mr. Usborne.

GREAT SOUTHERN AND WESTERN AND WATERFORD, LIMERICK, AND WESTERN RAILWAY COMPANIES AMALGAMATION BILL, AND MIDLAND GREAT WESTERN RAILWAY OF IRELAND BILL—*continued.*

Evidence in support of the Petition of the Waterford and Limerick and Western Railway Company against the Midland Great Western Railway of Ireland Bill—*continued.*

Mr. John Conacher, further examined.

Mr. W. Barrington and Mr. J. R. Goodbody, sworn, and examined.

Mr. Bushe, q.c., was heard in support of the Petition of the Limerick and Kerry, Rathkeale and Newcastle Junction and Tralee and Fenit Railway Companies against the Bill.

Evidence called in support of the Petition of the Sligo, Leitrim, and Northern Counties Railway against the Bill.

Mr. S. B. Humphreys, sworn, and examined

Mr.

Mr. *C. C. Hutchinson* was heard in support of the above Petition.

Mr. *Moon* was heard in support of the Petition of the Great Western Railway Company against the Bill, and called evidence.

Mr. *J. L. Wilkinson* sworn, and examined.

Evidence called in support of the Petition of the Fishguard and Rosslare Railways and Harbours Company.

Mr. *George J. Whitelaw*, sworn, and examined.

Proceedings on the two Bills adjourned till To-morrow.

[Adjourned till To-morrow, at Half-past Eleven o'clock.]

Wednesday, 11th July 1900.

PRESENT:

The Earl SPENCER in the Chair.

Lord Chelmsford.
Lord Glanusk.
Lord Hawkesbury.

Mr. Hazell.
Sir Samuel Montagu.
Mr. Pierpont.
Mr. Usborne.

Mr. *Blennerhassett*, Q.C., was heard in support of an application to the Committee to reserve their decision upon the two Bills now under consideration until the conclusion of the case of the Great Southern and Western and Waterford and Central Ireland Railway Companies Amalgamation Bill.

Mr. *Pembroke Stephens*, Q.C., and Mr. *Littler*, Q.C., were also heard in support of the application.

Mr. *Pope*, Q.C., was heard in opposition to the application.

Room cleared.

The Committee deliberated.

The Committee decided not to reserve their decision.

The Parties were called in, and informed of the decision of the Committee.

GREAT SOUTHERN AND WESTERN AND WATERFORD, LIMERICK, AND WESTERN RAILWAY COMPANIES AMALGAMATION BILL, AND MIDLAND GREAT WESTERN RAILWAY OF IRELAND BILL—*continued.*

Mr. *Balfour Browne*, Q.C., was heard in support of the Petition of the Fishguard and Rosslare Railways and Harbours Company against the Midland Great Western Railway of Ireland Bill.

Mr. *Littler*, Q.C., was heard in reply upon the case for the Midland Great Western Railway of Ireland Bill.

Room cleared.

The Committee deliberated.

Proceedings on the two Bills adjourned till To-morrow.

[Adjourned till To-morrow, at Half-past Eleven o'clock.]

Thursday, 12th July 1900.

PRESENT.

The Earl SPENCER in the Chair.

Lord Chelmsford.
Lord Glanusk.
Lord Hawkesbury.

Mr. Hazell.
Sir Samuel Montagu.
Mr. Pierpoint.
Mr. Usborne.

GREAT SOUTHERN AND WESTERN AND WATERFORD, LIMERICK, AND WESTERN RAILWAY COMPANIES AMALGAMATION BILL, AND MIDLAND GREAT WESTERN RAILWAY OF IRELAND BILL—*continued*.

Mr. *Pope*, Q.C., was heard in reply upon the case for the Great Southern and Western and Waterford, Limerick, and Western Railway Companies Amalgamation Bill.

Room cleared.

The Committee deliberated.

Question, That the Great Southern and Western and Waterford, Limerick, and Western Railway Companies Amalgamation Bill should be allowed to proceed,—put, and *agreed to*.

Question, That so much of the Midland Great Western Railway of Ireland Bill as relates to the amalgamation of the Waterford, Limerick, and Western Railway should be allowed to proceed,—put, and *negatived*.

The Parties were called in and informed of the decision of the Committee.

The Committee postponed the consideration of the Clauses of the Great Southern and Western and Waterford, Limerick, and Western Railway Companies Amalgamation Bill till To-morrow.

MIDLAND GREAT WESTERN RAILWAY OF IRELAND BILL.

Evidence called in support of the unopposed portions of the Preamble of the Bill.

Mr. *C. F. Ferguson*, recalled, and examined.

The Committee went through the Clauses of the Bill, and made Amendments thereunto.

Ordered, That the Lord in the Chair do report that the Bill should be allowed to proceed as amended, and that Mr. Pierpoint do make the like Report to the House of Commons.

[Adjourned till To-morrow, at Half-past Eleven o'clock]

Friday, 13th July 1900.

PRESENT :

The Earl SPENCER in the Chair.

Lord Chelmsford.
Lord Glanusk.
Lord Hawkesbury.

Mr. Hazell.
Sir Samuel Montagu.
Mr. Pierpoint.
Mr. Osborne.

GREAT SOUTHERN AND WESTERN AND WATERFORD, LIMERICK, AND WESTERN RAILWAY COMPANIES AMALGAMATION BILL—*continued*.

The Clauses of the Bill were considered.

Mr. *John O'Connor* brought up a new Clause on behalf of the County Council of South Tipperary, and was heard in support of the same.

Mr. *Acworth* brought up a new Clause on behalf of the Tralee and Fenit Pier and Harbour Commissioners and the Tralee Urban District Council, and was heard in support of the same.

Mr. *Moon* was heard in opposition to the proposed Clauses.

Room cleared.

The Committee decided not to insert the Clauses.

The Parties were called in and informed of the decision of the Committee.

After discussion,

Mr. *Balfour Browne*, Q.C., brought up a new Clause to meet the decision of the Committee, and was heard in support of the same.

Mr. *Little*, Q.C., brought up Clauses for the protection of the Midland Great Western Railway Company of Ireland, and was heard in support of the same, and in opposition to the Clause proposed by the Promoters.

Further proceedings upon the Bill postponed till Monday next.

[Adjourned till Monday next, at Half-past Eleven o'clock]

Monday, 16th July 1900.

PRESENT :

The Earl SPENCER in the Chair.

Lord Chelmsford.
Lord Glanusk.
Lord Hawkesbury.

Mr. Hazell.
Sir Samuel Montagu.
Mr. Pierpoint.
Mr. Usborne.

GREAT SOUTHERN AND WESTERN, AND WATERFORD, LIMERICK, AND WESTERN
RAILWAY COMPANIES AMALGAMATION BILL—*continued.*

Mr. *Little*, q.c., was further heard in support of proposed Clauses for the protection of the Midland Great Western Railway of Ireland, and called evidence.

Mr. *Joseph Tatlow*, recalled, and further examined.

After further discussion, the Committee inserted the Clauses, with Amendments.

Mr. *FitzGerald*, q.c., brought up Clauses for conferring running powers upon the Dublin, Wicklow, and Wexford Railway Company, and was heard in support of the same, and called evidence.

Mr. *A. G. Reed*, recalled, and examined.

After further discussion,

Further proceedings on the Bill postponed till To-morrow.

[Adjourned till To-morrow at Half-past Eleven o'clock.]

Tuesday, 17th July 1900.

PRESENT :

The Earl SPENCER in the Chair.

Lord Chelmsford.
Lord Glanusk.
Lord Hawkesbury.

Mr. Hazell.
Sir Samuel Montagu.
Mr. Pierpoint.
Mr. Usborne.

GREAT SOUTHERN AND WESTERN AND WATERFORD, LIMERICK, AND WESTERN
RAILWAY COMPANIES AMALGAMATION BILL—*continued.*

The Clauses of the Bill were further considered.

In support of Clause 27 of the Bill,

Mr. *R. G. Colhoun*, recalled, and examined.

After further discussion,

The Committee went through the remaining Clauses of the Bill, and made Amendments thereunto, and added new Clauses to the Bill.

Ordered, That the Lord in the Chair do report that the Bill should be allowed to proceed as amended, and that Mr. Pierpoint do make the like Report to the House of Commons.

[Adjourned till To-morrow, at Half-past Eleven o'clock.]

Wednesday, 18th July 1900.

PRESENT :

The Earl SPENCER in the Chair.

Lord Glanusk.
Lord Hawkesbury.
Lord Heneage.

Mr. Hazell.
Sir Samuel Montagu.
Mr. Pierpoint.
Mr. Usborne.

GREAT SOUTHERN AND WESTERN AND WATERFORD AND CENTRAL IRELAND
RAILWAY COMPANIES AMALGAMATION BILL.

Mr. *Pope*, q.c., Mr. *Pember*, q.c., Mr. *Balfour Browne*, q.c., Mr. *Seymour Bushe*, q.c., Mr. *Macinerney*, q.c., Mr. *Ernest Moon*, and Mr. *G. Bellews* appeared as Counsel for the Promoters of the Bill.

Messrs. *Sherwood and Company* appeared as Agents.

The following Petitions against the Bill were read :

The Petition of the Grand Canal Company.

Counsel reserved.

Messrs. *Rees and Frere* appeared as Agents.

The Petition of the Great Western Railway Company.

Counsel reserved.

Mr. *R. R. Nelson* appeared as Agent.

The Petition of the Westmeath County Council.

Counsel reserved.

Messrs. *Lewin and Company* appeared as Agents.

The Petition of the Viscount de Vesci.

Mr. *Pembroke Stephens*, q.c., and the Hon. *E. Charteris* appeared as Counsel.

Messrs. *Lewin and Company* appeared as Agents.

The Petition of the Midland Great Western Railway of Ireland Company.

Mr. *Little*, c.b., q.c., Mr. *Blennerhassett*, q.c., and Mr. *Vesey Knox* appeared as Counsel.

Messrs. *Martin and Leslie* appeared as Agents.

The Petition of the Stock and Shareholders of the Waterford Limerick and Western Railway Company.

Counsel reserved.

Messrs. *Batten and Company* appeared as Agents

The Petition of the Limerick Harbour Commissioners.

Counsel reserved.

Messrs. *Batten and Company* appeared as Agents.

The Petition of the Dublin, Wicklow, and Wexford Railway Company.

The Hon. *J. D. FitzGerald*, q.c., and Mr. *Claude Baggallay*, q.c., appeared as Counsel.

Messrs. *Holmes, Greig and Greig* appeared as Agents.

The Petition of the Waterford Corporation.

Counsel reserved.

Messrs. *Holmes, Greig and Greig* appeared as Agents.

The Petition of the Waterford Harbour Commissioners.

Mr. *Blennerhassett*, q.c., and Mr. *J. W. Greig* appeared as Counsel.

Messrs. *Holmes, Greig and Greig* appeared as Agents.

The Preamble of the Bill was read the first time.

Mr. *Pope*, q.c., was heard in support of the Preamble of the Bill, and called the following evidence.

Mr. *E. A. Neale*, sworn, and examined.

Evidence called in support of the Petition of Viscount de Vesci against the Bill.

Viscount *de Vesci* and the Lord *Greville*, sworn, and examined.

Mr. *Pembroke Stephens*, q.c., was heard in support of the above Petition.

Room cleared.

The Committee deliberated.

The Parties were called in and informed that the Committee could not insert the provision asked for by the Petitioner.

Mr. *FitzGerald*, Q.C., was heard in support of the Petition of the Dublin, Wicklow, and Wexford Railway Company against the Bill.

Proceedings upon the Bill adjourned till To-morrow.

[Adjourned till To-morrow, at Half-past Eleven o'clock.]

Thursday, 19th June 1900.

PRESENT :

The Earl SPENCER in the Chair.

Lord Glanusk.
Lord Hawkesbury.
Lord Heneage.

Mr. Hazell.
Sir Samuel Montagu.
Mr. Pierpoint.
Mr. Usborne.

GREAT SOUTHERN AND WESTERN AND WATERFORD AND CENTRAL IRELAND
RAILWAY COMPANIES AMALGAMATION BILL—*continued.*

Mr. *FitzGerald*, Q.C., was further heard in support of the Petition of the Dublin, Wicklow, and Wexford Railway Company against the Bill.

Mr. *Moon* was heard in reply.

The Preamble was *postponed*.

The Clauses of the Bill were *considered*.

On Clause 5 :

Mr. *Blennerhassett* was heard on behalf of the Midland Great Western Railway Company of Ireland and called evidence.

Mr. *Joseph Tatlow*, recalled, and examined.

Room cleared.

The Committee deliberated.

Question proposed, That Clause 5 stand part of the Bill.

Amendment proposed, in page 4, line 20, to leave out from the word "Provided" to the end of the Clause—(Sir *Samuel Montagu*).—Question put, That the words proposed to be left out stand part of the Clause.—The Committee divided :

Contents 6.
Earl Spencer.
Lord Hawkesbury.
Lord Heneage.
Lord Glanusk.
Mr. Hazell.
Mr. Usborne.

Not Contents 2.
Sir Samuel Montagu.
Mr. Pierpoint.

The parties were called in and informed of the decision of the Committee.

After further discussion.

The Committee went through the remaining Clauses of the Bill, and made Amendments thereunto, and added new Clauses to the Bill.

Preamble *agreed to*.

Ordered, That the Lord in the Chair do report that the Bill should be allowed to proceed as amended, and that Mr. *Pierpoint* do make the like Report to the House of Commons.

R E P O R T
FROM THE

JOINT SELECT COMMITTEE OF THE HOUSE OF
LORDS AND THE HOUSE OF COMMONS

ON

RAILWAYS (IRELAND)
AMALGAMATION BILLS;

WITH THE

PROCEEDINGS OF THE COMMITTEE.

*Ordered, by The House of Commons, to be Printed,
20 July 1900.*

[Price 2½d.]

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Under 3 oz.

R E P O R T

FROM THE

STANDING COMMITTEE

ON

TRADE (INCLUDING AGRICULTURE AND FISHING),
SHIPPING, AND MANUFACTURES,

ON THE

RAILWAYS (PREVENTION OF ACCIDENTS)
BILL;

WITH THE

PROCEEDINGS OF THE COMMITTEE.

*Ordered, by The House of Commons, to be Printed,
14 May 1900.*

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1900.

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1900.

STANDING COMMITTEE ON TRADE (INCLUDING AGRICULTURE AND FISHING), SHIPPING, AND MANUFACTURES.

[Friday, 23rd February 1900].—Mr. Halsey reported from the Committee of Selection ; that they had nominated the following Members to serve on the Standing Committee for the consideration of all Bills relating to Trade (including Agriculture and Fishing), Shipping, and Manufactures :—

Committee nominated of—

Mr. Attorney General (Sir Robert Finlay).	Mr. Lloyd-George.
Mr. Baird.	Mr. Walter Long.
Lord Balcarras.	Colonel Long.
Mr. Baldwin.	Dr. MacDonnell.
Mr. Beckett.	Colonel Mellor
Mr. Broadhurst.	Sir Samuel Montagu.
Mr. John Burns.	Mr. Charles Morley.
Mr. Burt.	Mr. Oldroyd.
Sir Charles Cayzer.	Mr. Parkes.
Mr. Chancellor of the Exchequer.	Colonel Pilkington.
Mr. Channing.	Mr. Power.
Mr. Cohen.	Mr. Provand.
Mr. Jesse Collings.	Sir James Rankin.
Sir John Colomb.	Mr. Renshaw.
Sir Charles Dalrymple.	Sir Thomas Richardson.
Mr. Daly.	Mr. Ritchie.
Mr. Doughty.	Sir Albert Rollit.
Mr. Duckworth.	Mr. Round.
Mr. J. P. Farrell.	Mr. T. W. Russell.
Sir Robert Penrose-FitzGerald.	Mr. Seton-Karr.
Sir Henry Fowler.	Mr. Thomas Shaw.
Mr. Galloway.	Mr. T. H. Sidebottom
Sir Edward Gourley.	Sir Barrington Simeon.
Sir Reginald Hanson.	Mr. Samuel Smith.
Mr. Harrington.	Mr. Strachey.
Sir Alfred Hickman.	Mr. James Stuart.
Sir Edward Hill.	Mr. Tennant.
Sir William Houldsworth.	Mr. Tomlinson.
Major Jameson.	Mr. Tully.
Mr. Jeffreys.	Mr. George Whiteley.
Sir James Joicey.	Mr. John Wilson (<i>Durham</i>).
Mr. Kemp.	Mr. John Wilson (<i>Falkirk</i>).
Sir Thomas Lea.	Mr. Wolff.
Sir Elliott Lees.	Mr. Samuel Young.

[Tuesday, 13th March 1900].—Mr. Halsey reported from the Committee of Selection ; That they had discharged the following Member from the Standing Committee on Trade (including Agriculture and Fishing), Shipping, and Manufactures : Mr. Lloyd-George ; and had appointed in substitution : Sir Charles Dilke.

[*Tuesday, 20th March 1900*]:—Mr. Halsey reported from the Committee of Selection: That they had discharged the following Member from the Standing Committee on Trade (including Agriculture and Fishing), Shipping, and Manufactures: Lord Balcarras; and had appointed in substitution: Mr. Maclean.

[*Tuesday, 27th March 1900*]:—*Ordered*, That all Standing Committees have leave to print and circulate with the Votes, the Minutes of their Proceedings and any amended Clauses of Bills committed to them.

[*Thursday, 5th April 1900*]:—Railways (Prevention of Accidents) Bill,—read a second time and committed to the Standing Committee on Trade, &c.

[*Tuesday, 1st May 1900*]:—Mr. Arthur O'Connor reported from the Chairmen's Panel: That they had appointed Mr. John Edward Ellis to act as Chairman of the Standing Committee for the consideration of Bills relating to Trade (including Agriculture and Fishing), Shipping, and Manufactures, in respect to the Railways (Prevention of Accidents) Bill.

[*Tuesday, 1st May 1900*]:—Mr. Halsey reported from the Committee of Selection: That they had added to the Standing Committee on Trade (including Agriculture and Fishing), Shipping, and Manufactures, the following Fifteen Members in respect of the Railways (Prevention of Accidents) Bill: Colonel Blundell, Mr. Bryce, Mr. Butcher, Mr. Fellowes, Sir Fortescue Flannery, Mr. Ernest Gray, Mr. Brodie Hoare, Mr. Johnson-Ferguson, Mr. Maddison, Mr. Patrick O'Brien, Sir Joseph Pease, Mr. Purvis, Mr. Edmund Robertson, Mr. Solicitor General, and Mr. Woods.

[*Friday, 4th May 1900*]:—Mr. Halsey reported from the Committee of Selection: That they had discharged the following Member from the Standing Committee on Trade (including Agriculture and Fishing), Shipping, and Manufactures: Sir Elliott Lees; and had appointed in substitution: Sir Herbert Maxwell.

[*Friday, 11th May 1900*]:—Railways (Prevention of Accidents) [Expenses].—Resolution reported, That it is expedient to authorise the payment, out of moneys to be provided by Parliament, of the remuneration of any persons employed by the Board of Trade, under any Act of the present Session for the better Prevention of Accidents on Railways, and of the Expenses incurred by the Board under such Act.

R E P O R T.

THE STANDING COMMITTEE on TRADE (INCLUDING AGRICULTURE AND FISHING), SHIPPING, AND MANUFACTURES, to whom the RAILWAYS (PREVENTION OF ACCIDENTS) BILL was referred ;—HAVE gone through the Bill, and made Amendments thereunto.

14 May 1900.

STANDING COMMITTEE ON TRADE (INCLUDING AGRICULTURE AND FISHING), SHIPPING, AND MANUFACTURES.

Monday, 7th May 1900.

MEMBERS PRESENT :

Mr. JOHN EDWARD ELLIS in the Chair.

Mr. Baird.
Mr. Baldwin.
Colonel Blundell.
Mr. Broadhurst.
Mr. Bryce.
Mr. John Burns.
Mr. Burt.
Mr. Butcher.
Mr. Channing.
Mr. Cohen.
Mr. Jesse Collings.
Sir John Colomb.
Sir Charles Dilke.
Mr. Doughty.
Mr. Fellowes.
Sir Robert Penrose-FitzGerald.
Sir Fortescue Flannery.
Mr. Galloway.
Sir Edward Gourley.
Mr. Ernest Gray.
Sir Alfred Hickman.

Mr. Johnson-Ferguson.
Sir James Joicey.
Sir Thomas Lea.
Mr. MacAleese.
Mr. Maclean.
Mr. Maddison.
Mr. Purvis.
Mr. Renshaw.
Mr. Ritchie.
Sir Albert Rollit.
Mr. Round.
Sir Barrington Simeon.
Mr. Samuel Smith.
Mr. Solicitor General (Sir Robert
Finlay).
Mr. Strachey.
Mr. James Stuart.
Mr. Tennant.
Mr. Tomlinson.
Mr. John Wilson (*Durham*).
Mr. Wolff.

RAILWAYS (PREVENTION OF ACCIDENTS) BILL.

Clause 1.

Amendment proposed, in page 1, line 11, after the word "employed," to insert the words "goods guards or brakemen, shunters, surface men, platelayers, or permanent way men"—(*Mr. Renshaw*).—Question, That those words be there inserted,—put, and *negatived*.

Amendment proposed, in page 1, line 15, after the word "the," to insert the word "railway"—(*Mr. Ritchie*).—Question, That the word "railway" be there inserted,—put, and *agreed to*.

Amendment proposed, in page 1, line 16, to leave out the word "may," in order to insert the word "shall"—(*Mr. Channing*)—instead thereof.—Question, That the word "may" stand part of the Clause,—put, and *agreed to*.

Amendment proposed, in page 1, line 17, after the word "company," to insert the words "so far as practicable with any other company or person to be affected by the proposed rule"—(*Mr. Tomlinson*).—Question proposed, That those words be there inserted.

Amendment, by leave, *withdrawn*.

Other Amendments made.

Amendment proposed, in page 1, line 22, at the end of the Clause to add the words "which have been shown to the satisfaction of the Board of Trade to be calculated to reduce danger to persons employed on a railway, or the disuse of any plant or appliance which has been similarly shown to involve such danger"—(*Mr. Ritchie*).—Question proposed, That those words be there added.

Amendment proposed to the proposed Amendment, to leave out the words "to the satisfaction of the Board of Trade to be calculated," in lines 1 and 2, in order to insert the words "by practical experience"—(*Mr. Renshaw*)—instead thereof.

Amendment, by leave, *withdrawn*.

Another

Another Amendment proposed to the proposed Amendment, after the word "shown," in line 1, insert the words "by experiment"—(Mr. *Renshaw*).—Question put, That the words "by experiment" be there inserted.—The Committee divided :

Ayes, 16.

Mr. Baldwin.
Colonel Blundell.
Mr. Fellowes.
Sir Alfred Hickman.
Mr. Renshaw.
Mr. Ritchie.
Sir Barrington Simeon
Mr. Solicitor-General.
Mr. Tomlinson.
Mr. Wolff.

Noes, 22.

Mr. Baird. †
Mr. Broadhurst.
Mr. Bryce.
Mr. John Burns
Mr. Burt.
Mr. Butcher.
Mr. Channing.
Sir Charles Dilke.
Mr. Doughty.
Sir R. Penrose-FitzGerald
Sir Fortescue Flannery.
Mr. Johnson-Ferguson.
Sir James Joicey.
Sir Thomas Lea.
Mr. MacAleese.
Mr. Maddison.
Mr. Purvis.
Sir Albert Rollit.
Mr. Samuel Smith.
Mr. Strachey.
Mr. Tennant.
Mr. John Wilson (*Durham*).

Question, That the words "which has been shown to the satisfaction of the Board of Trade to be calculated to reduce danger to persons employed on a railway, or the disuse of any plant or appliance which has been similarly shown to involve such danger," be there added,—put, and *agreed to*.

Amendment proposed, in page 1, line 22, at the end of the last Amendment to add the words "The Board of Trade shall, by any rule made by them under this section, give a reasonable time for carrying out the requirements of the rule, and the time so given shall in the case of a rule requiring the disuse of solid buffered waggons, if any such rule is made, be at least ten years."—(Mr. *Ritchie*).—Question proposed, That those words be there added.

Amendment proposed to proposed Amendment, in line 1, after the word "give," to insert the words "what in their final judgment and discretion is"—(Sir *Albert Rollit*).—Question proposed, That those words be there inserted.

Amendment, by leave, *withdrawn*.

Another Amendment proposed to the proposed Amendment, to leave out all the words after the word "rule," in line 2, to the end of the proposed Amendment—(Sir *Charles Dilke*).—Question, That those words stand part of the proposed Amendment,—put, and *negatived*.

Clause 1, as amended, *agreed to*.

Clause 2.

Amendment proposed, in page 1, line 24, to leave out from the word "gazette" to the word "affected," in line 26—(Mr. *Ritchie*).—Question, That those words stand part of the Clause,—put, and *negatived*.

Another Amendment proposed, in page 2, line 3, after the word "Board," to insert the words "and shall take such other steps as they think best adapted for giving information with respect to those matters to persons affected"—(Mr. *Ritchie*).—Question, That those words be there inserted,—put and *agreed to*.

Another Amendment proposed, in page 2, to leave out all the words from the word "any," in line 4, to the word "persons," in line 5, in order to insert the words "all objections or suggestions"—(Mr. *Tomlinson*)—instead thereof.—Question proposed, That the words proposed to be left out stand part of the Clause.

Amendment, by leave, *withdrawn*.

Amendment proposed, in page 2, line 6, to leave out the words "appearing to them to be"—(Mr. *Renshaw*).—Question, That the words proposed to be left out stand part of the Clause,—put, and *agreed to*.

Clause, as amended, *agreed to*.

Clause 3.

Amendment proposed, in page 2, line 19, after the word "Commissioners," to insert the words "and the Board shall so refer the objection accordingly"—(Mr. *Tomlinson*).—Question, That those words be there inserted,—put, and *agreed to*.

Clause, as amended, *agreed to*.

Clause 4, *agreed to*.

Clause 5.

Amendment proposed, in page 2, line 33, to leave out the words "one month," in order to insert the words "three months"—(Mr. Tomlinson)—instead thereof.—Question proposed, That the words proposed to be left out stand part of the Clause.

Amendment, by leave, *withdrawn*.

Another Amendment proposed, in page 2, line 40, to leave out the words "have decided against it," in order to insert the words "and then only subject to such conditions and modifications as the Commissioners may direct"—(Mr. Tomlinson)—instead thereof.—Question, That the words proposed to be left out stand part of the Clause,—put, and *agreed to*.

Clause *agreed to*.

Clauses 6 and 7, *agreed to*

Clause 8.

Amendment proposed, in page 3, line 14, to leave out the word "propose," in line 14, in order to insert the word "make"—(Mr. Ritchie)—instead thereof.—Question, That the word "propose" stand part of the Clause,—put, and *negatived*.

Question, That the word "make" be there inserted,—put, and *agreed to*.

Another Amendment proposed, in page 3, line 15, after the word "this," to insert the words "and any other"—(Mr. Solicitor General).—Question, That those words be there inserted—put, and *agreed to*.

Another Amendment proposed, at the end of the Clause to add the words "under this Act"—(Mr. Solicitor General).—Question, That those words be there added,—put, and *agreed to*

Clause, as amended, *agreed to*.

Clause 9, *agreed to*.

Clause 10.

Amendment proposed, in page 3, line 37, to leave out the words from the word "assessors," to the word "Commissioners," inclusive, in page 4, line 1—(Mr. Wolff).—Question proposed, That the words proposed to be left out stand part of the Clause.

Amendment, by leave, *withdrawn*.

Another Amendment proposed, in page 3, line 38, to leave out the words from the word "Commissioners" to the word "Commissioners," inclusive, in page 4, line 1, in order to insert the words "a requirement to refer an objection to the Commissioners is frivolous and vexatious"—(Mr. Ritchie)—instead thereof.—Question, That the words proposed to be left out stand part of the Clause,—put, and *negatived*.

Question, That those words be there inserted,—put, and *agreed to*.

Clause, as amended, *agreed to*.

Clause 11.

An Amendment made.

Another Amendment proposed, in page 4, line 8, after the word "Act," to insert the words "but such inspections shall be made in such manner as not to interfere with the due working of the traffic"—(Mr. Renshaw).—Question proposed, That those words be there inserted.

[Adjourned to Thursday, at Twelve o'clock

Thursday, 10th May 1900.

MEMBERS PRESENT:

Mr. JOHN EDWARD ELLIS in the Chair.

Mr. Baird.
Mr. Baldwin.
Colonel Blundell.
Mr. Broadhurst.
Mr. John Burns.
Mr. Burt.
Mr. Channing.
Mr. Cohen.
Sir John Colomb.
Sir Charles Dilke.
Mr. Doughty.
Mr. Duckworth.
Mr. Fellowes.
Sir Fortescue Flannery.
Mr. Galloway.
Mr. Ernest Gray.
Sir Alfred Hickman.
Mr. Brodie Hoare.
Sir William Houldsworth.
Mr. Jeffreys.

Mr. Johnson-Ferguson.
Mr. MacAleese.
Mr. Maclean.
Sir Herbert Maxwell.
Colonel Mellor.
Mr. Parkes.
Colonel Pilkington.
Mr. Purvis.
Sir James Rankin.
Mr. Renshaw.
Mr. Ritchie.
Mr. Seton-Karr.
Mr. T. H. Sidebottom.
Mr. Samuel Smith.
Mr. Solicitor General (Sir Robert
Finlay).
Mr. Strachey.
Mr. Tennant.
Mr. Tomlinson.
Mr. Wolff.

Amendment again proposed, in page 4, line 8, after the word "Act," to insert the words "but such inspections shall be made in such manner as not to interfere with the due working of the traffic"—(Mr. *Renshaw*).—Question, That those words be there inserted,—put, and *negatived*.

Another Amendment proposed, at the end of the Clause, to add the words "Section 7 of the Regulation of Railways Act, 1871, shall not apply in any case where under any statute a formal investigation of an accident and its causes and circumstances may be directed to be held"—(Mr. *Tomlinson*).—Question, That those words be there added,—put, and *negatived*.

Clause, as amended, *agreed to*.

Clause 12, *agreed to*.

Clause 13, *postponed*.

Clause 14.

Amendment proposed, in page 5, line 12, to leave out the word "public"—(Mr. *Tennant*).—Question proposed, That the word "public" stand part of the Clause.

Amendment, by leave, *withdrawn*.

Another Amendment proposed, in page 5, line 13, after the word "works," to insert the words "of the railway company"—(Mr. *Ritchie*).—Question, That those words be there inserted,—put, and *agreed to*.

Another Amendment proposed, in page 5, at the end of the Clause, to add the words "but not so as to impose any obligation upon such company or person inconsistent with the terms of the lease or agreement under which the railway is worked"—(Mr. *Renshaw*).—Question proposed, That those words be there added.

Amendment, by leave, *withdrawn*.

Clause, as amended, *agreed to*.

Clause 15.

Amendment proposed, in page 5, at the end of the Clause to add the words "and a summary conviction under this Act shall in Scotland be subject to appeal to the Court of Session, in manner provided by the Summary Prosecutions Appeals (Scotland) Act, 1875"—(Mr. *Renshaw*).—Question, That those words be there added,—put, and *agreed to*.

Clause, as amended, *agreed to*.

Clause 16, *agreed to*.

New Clause (Power to extend time) brought up and read the first time as follows: "The Board of Trade may extend the time fixed by them under this Act for the making of objections or suggestions with respect to draft rules, or the giving of a notice requiring an objection to be referred to the Commissioners in the case of any objection, suggestion, or notice, if it is shown to their satisfaction that the extension of time is justified by the special circumstances of the case"—(Mr. *Ritchie*).—Question, That the Clause be read a second time,—put, and *agreed to*.

Clause added.

New Clause (Inquiries into fatal accidents) brought up and read the first time as follows: "When under the provisions of the Regulation of Railways Act, 1871, or the Notices of Accidents Act, 1894, or of any Act amending the said Acts, notice has been sent to the Board of Trade of a fatal accident to a railway servant, they shall hold an inquiry by an inspector or sub-inspector or other representative of the Board into the causes of such fatal accident"—(Mr. Channing).—Question That the Clause be read a second time,—put, and *negatived*.

New Clause brought up and read the first time as follows: "The Board of Trade shall have power from time to time to repeal or alter any rule, or order, or direction made under this Act"—(Mr. Wolff).—Question, That the Clause be read a second time,—put, and *negatived*.

New Clause brought up and read the first time as follows: "No rule or order or direction made under this Act shall require the carrying out of any works or operations by any railway company on any lands other than lands belonging to such railway company"—(Sir Herbert Maxwell).—Question put, That the Clause be read a second time.—The Committee divided:

Ayes, 12.

Mr. Baird.
Mr. Baldwin.
Colonel Blundell.
Mr. Cohen.
Mr. Galloway.
Sir William Houldsworth.
Sir Herbert Maxwell.
Colonel Mellor.
Colonel Pilkington.
Mr. Renshaw.
Mr. Tomlinson.
Mr. Wolff.

Noes, 16.

Mr. Broadhurst.
Mr. John Burns.
Mr. Burt.
Mr. Channing.
Mr. Doughty.
Sir Fortescue Flannery.
Mr. Ernest Gray.
Sir Alfred Hickman.
Mr. Johnson-Ferguson.
Mr. Maclean.
Mr. Parkes.
Mr. Purvis.
Sir James Rankin.
Mr. Ritchie.
Mr. Solicitor General.
Mr. Tennant.

New Clause brought up and read the first time as follows: "Any railway company affected by any rule, order, or direction made under this Act, which has been in operation for a period of six months at the least, may apply to the Board of Trade for the revision, alteration, or recession of such rule, order or direction, and if the Board of Trade shall decline to entertain such application the Board of Trade shall at the request of the railway company refer the application to the Railway and Canal Commission as if it were an objection to a proposed rule under this Act"—(Mr. Renshaw).—Question, that the Clause be read a second time,—put, and *negatived*.

New Clause brought up and read a first time as follows: "If any rule under this Act imposes an obligation on a railway company inconsistent with the terms of any lease or agreement under which the railway of that company is worked, the railway company shall not be under any liability for any breach of or default in complying with the terms of any such lease or agreement so far as that breach or default is a necessary consequence of compliance with the rule"—(Mr. Ritchie).—Question, That the Clause be read a second time,—put, and *agreed to*.

Clause added.

[Adjourned till Monday next, at One o'clock.

Monday, 14th May 1900.

MEMBERS PRESENT:

Mr. JOHN EDWARD ELLIS in the Chair.

Mr. Attorney General (Sir Robert Finlay).
Mr. Baird.
Mr. Baldwin.
Colonel Blundell.
Mr. John Burns.
Mr. Burt.
Mr. Chancellor of the Exchequer.
Mr. Channing.
Sir John Colomb.
Sir Charles Dilke.
Mr. Doughty.
Sir Fortescue Flannery.
Mr. Ernest Gray.
Mr. Jeffreys.

Mr. MacAllese.
Mr. Maddison.
Colonel Mellor.
Mr. Patrick O'Brien.
Colonel Pilkington.
Mr. Purvis.
Sir James Rankin.
Mr. Renshaw.
Mr. Ritchie.
Mr. Tennant.
Mr. Tomlinson.
Mr. John Wilson (*Falkirk*).
Mr. Wolff.
Mr. Samuel Young.

Resolution of the House of the 10th March read.

Postponed Clause 13.

Amendment proposed, in page 4, line 34, after the word "number," to insert the words "and any"—(Mr. Ritchie).—Question, That those words be there inserted,—put, and *agreed to*.

Another Amendment proposed, in page 4, line 36, after the word "experiments," to insert the words "with or for the purpose of testing the suitability or fitness of automatic or other mechanical coupling"—(Mr. Renshaw).—Question put, That those words be there inserted.—The Committee divided:

Ayes, 11.
Mr. Baird.
Mr. Baldwin.
Sir John Colomb.
Mr. Jeffreys.
Colonel Mellor.
Colonel Pilkington.
Mr. Renshaw.
Mr. Tomlinson.
Mr. John Wilson (*Falkirk*).
Mr. Wolff.
Mr. Samuel Young.

Noes, 12.
Mr. Attorney General.
Colonel Blundell.
Mr. John Burns.
Mr. Burt.
Mr. Channing.
Mr. Ernest Gray.
Mr. MacAleese.
Mr. Patrick O'Brien.
Mr. Purvis.
Sir James Rankin.
Mr. Ritchie.
Mr. Tennant.

Another Amendment proposed, in page 4, line 37, after the word "purpose," to insert the words "but such experiments shall be made without risk or expense to the railway company except as may be otherwise agreed"—(Mr. Renshaw).—Question proposed, That those words be there inserted.

Amendment proposed to proposed Amendment, after the word "agreed," at the end of the Amendment, to add the words "and except in case of default on the part of the railway company in carrying out such experiments"—(Mr. Ritchie).—Question, That those words be there added,—put and *agreed to*.

Question, That the Amendment as amended be there inserted,—put, and *agreed to*.

Amendment proposed, in page 5, line 5, to leave out from the word "when," to the word "rule," in line 6—(Mr. Tomlinson).—Question put, That the words proposed to be left out stand part of the Clause.—The Committee divided:

Ayes, 13.
Mr. Attorney General.
Mr. Baird.
Mr. John Burns.
Mr. Burt.
Mr. Chancellor of the Exchequer.
Mr. Channing.
Mr. Doughty.
Sir Fortescue Flannery.
Mr. Maddison.
Mr. Patrick O'Brien.
Mr. Purvis.
Mr. Ritchie.
Mr. Tennant.

Noes, 10.
Colonel Blundell.
Mr. Ernest Gray.
Colonel Mellor.
Colonel Pilkington.
Sir James Rankin.
Mr. Renshaw.
Mr. Tomlinson.
Mr. John Wilson (*Falkirk*).
Mr. Wolff.
Mr. Samuel Young.

Amendment proposed, in page 5, line 6, after the word "rule," to insert the words "or where any objections are referred to a referee instead of to the Railway and Canal Commissioners"—(Mr. Ritchie).—Question, That those words be there inserted,—put, and *agreed to*.

Another Amendment made.

Clause, as amended, *agreed to*.

Schedule.

An Amendment made.

Amendment proposed, in line 10, after the word "cabins," to insert the words "sheds and wharves"—(Mr. Channing).—Question proposed, That those words be there inserted.

Amendment, by leave, *withdrawn*.

Amendment proposed, line 14, after the word "vans," to insert the words "beyond the limits of stations or shunting sidings"—(Mr. Renshaw).—Question, That those words be there inserted,—put, and *negatived*.

Schedule, as amended, *agreed to*.

Question, That the Bill, as amended, be reported to the House,—put, and *agreed to*.

Ordered, To report the Bill, as amended, to the House.

R E P O R T

FROM THE

STANDING COMMITTEE

ON

TRADE (INCLUDING AGRICULTURE AND
FISHING), SHIPPING, AND MANUFACTURES,

ON THE

RAILWAYS (PREVENTION OF
ACCIDENTS) BILL;

WITH THE

PROCEEDINGS OF THE COMMITTEE.

*Ordered, by The House of Commons, to be Printed,
14 May 1900.*

[*Price 1½d.*]

Under 20s.

SPECIAL REPORT

AND

R E P O R T

FROM THE

SELECT COMMITTEE

ON THE

REGISTRATION OF FIRMS BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND APPENDIX.

*Ordered, by The House of Commons, to be Printed,
17 July 1900.*

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1900.

REGISTRATION OF FIRMS BILL.

[Wednesday, 2nd May 1900]:—READ a second time, and committed to a Select Committee.

[Tuesday, 22nd May 1900]:—The Select Committee on Registration of Firms Bill was nominated of,—

Mr. Michael Austin.	Sir Seymour King.
Mr. Emmott	Mr. Monk.
Sir Robert Finlay.	Mr. Palmer.
Mr. Vicary Gibbs.	Sir James Rankin.
Mr. H. D. Greene.	Sir Albert Rollit.
Mr. Hazell.	Sir John Stirling-Maxwell.
Mr. Holland.	

Ordered, That Five be the Quorum.—(Sir William Walrond.)

[Monday, 28th May 1900]:—Ordered, That the Select Committee on the Registration of Firms Bill have Power to send for Persons, Papers, and Records.—(Mr. Attorney General.)

[Thursday, 21st June 1900]:—Ordered, That Mr. Hazell be discharged from the Select Committee on the Registration of Firms Bill.

Ordered, That Mr. Mendl be a Member of the Committee.—(Mr. William McArthur.)

[Tuesday, 26th June 1900]:—Ordered, That Sir Albert Rollit be discharged from the Committee on Registration of Firms.

Ordered, That Mr. Cohen be added to the Committee.—(Sir William Walrond.)

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SPECIAL REPORT.

THE SELECT COMMITTEE to whom the REGISTRATION OF FIRMS BILL was referred :—HAVE agreed to the following SPECIAL REPORT :—

1. YOUR COMMITTEE have taken evidence on the subject-matter of the Bill referred to them. Representatives of Stubbs' Mercantile Agency and the Nottinghamshire and Midland Merchants and Traders' Association explained the object the promoters of the Bill have in view. The Inspector General in Bankruptcy and in the liquidation of companies, the Deputy Chairman of the Board of Inland Revenue, the Registrar of Joint Stock Companies, and the Superintendent of County Courts at the Treasury gave evidence as to the proposed mode of carrying out the objects of the Bill from various departmental points of view. Amongst the written communications received by your Committee are the Appendices 1 to 14, inclusive, containing the remarks of the Bar Council of England, the Incorporated Law Society of England, the Provincial Law Societies of Liverpool, Manchester, and Birmingham, and the Association of County Court Registrars, the Faculty of Advocates, and the Society of Writers to the Signet in Edinburgh, and the Faculty of Procurators in Glasgow and the Incorporated Law Society of Ireland.

2. It has been established before your Committee that it is desirable to obtain public disclosure of all individuals who at a fixed place employ for the purposes of trade the names or styles of companies or partnerships or any form of plural designation. An effective register of this information would not only tend to facilitate commerce but would secure the identification of persons liable to legal proceedings, or amenable to Local Government and other requirements.

3. Your Committee have been unable to ascertain even approximately the number of traders or firms upon whom the obligation to register would fall if the Bill should become law, though they believe that it would be very great.

4. The evidence has revealed grave departmental difficulties in the way of carrying out the scheme of the Bill. The proposal to compel central registration with a district record of it supplied by the central registrar is not found to be practicable, and the inconvenience of requiring the County Court officials to conform to rules made by the Board of Trade is a serious obstacle.

5. If a complete system of registration is to be made immediately compulsory your Committee think that it would be necessary for some Government department now existing or hereafter to be created to undertake the responsibility not only of making and rectifying the register but also of compelling compliance with the law instead of leaving as much power to the Common Informer as is proposed in the Bill, a power which would almost certainly lead to great abuses.

On the other hand, if the adoption of registration is to be progressively introduced your Committee suggest that an incentive to register might possibly be supplied by depriving those persons who had not availed themselves of the provision as to registration of their ordinary rights to sue under the firm name.

6. Your Committee cannot surmount the difficulties observed by them without changing or reconstructing the scheme of the Bill and without pursuing their inquiries as to the duties and staffs of the public offices to an extent beyond what is required for the consideration of the Bill before them.

7. Your Committee are therefore of opinion that the principle of the Bill should only be accepted in a measure more complete and more practical than that referred to your Committee. They are therefore not prepared to advise Parliamentary sanction being given to it, and have in accordance with this opinion agreed to report the Bill without amendment.

8. Your Committee think that the subject is well deserving of consideration with a view to legislation.

REPORT ON THE BILL.

THE SELECT COMMITTEE to whom the REGISTRATION OF FIRMS BILL was referred :—HAVE agreed to report the same, without Amendment.

17 *July* 1900.

PROCEEDINGS OF THE COMMITTEE.

Monday, 28th May 1900.

MEMBERS PRESENT :

Mr. H. D. Greene.
Mr. Holland.
Mr. Michael Austin.
Mr. Emmott.

Mr. Monk.
Sir John Stirling-Maxwell.
Sir Seymour King.
Sir Robert Finlay.

Sir ROBERT FINLAY (Mr. Attorney General) was called to the Chair.

The Committee deliberated.

[Adjourned till Monday 18th June, at Twelve o'clock.]

Monday, 18th June 1900.

MEMBERS PRESENT :

Mr. ATTORNEY GENERAL in the Chair.

Mr. Emmott.
Mr. Monk.
Sir John Stirling-Maxwell.

Mr. Michael Austin.
Sir Seymour King.
Mr. H. D. Greene.

Mr. G. Sullivan and Mr. Robert Mellors were examined.

[Adjourned till Thursday next, at Twelve o'clock.]

Monday, 25th June 1900.

MEMBERS PRESENT :

Mr. Emmott.
Mr. Vicary Gibbs.
Sir John Stirling-Maxwell.
Mr. Mendl.

Mr. Monk.
Mr. Palmer.
Mr. H. D. Greene.
Sir Seymour King.

In the absence of the Attorney General, Mr. H. D. GREENE was called to the Chair.

Mr John Smith, C B was examined.

[Adjourned till Thursday next, at Twelve o'clock.]

Thursday, 28th June 1900

MEMBERS PRESENT :

Mr. ATTORNEY GENERAL in the Chair.

Mr. Michael Austin.
Mr. Emmott.
Mr. Vicary Gibbs.
Mr. H. D. Greene.
Sir Seymour King.

Mr. Monk.
Sir James Rankin.
Sir John Stirling-Maxwell.
Mr. Cohen.
Mr. Palmer.

Sir *F. L. Robinson*, Mr. *Ernest Cleave*, and Mr. *B. J. Bridgeman* were examined.

[Adjourned till Thursday next, at Twelve o'clock.

Thursday, 5th July 1900.

MEMBERS PRESENT :

Mr. ATTORNEY GENERAL in the Chair.

Mr. H. D. Greene.
Mr. Emmott.
Mr. Holland.
Mr. Palmer.
Mr. Michael Austin.
Mr. Cohen.

Sir James Rankin.
Mr. Vicary Gibbs.
Sir Seymour King.
Mr. Monk.
Sir John Stirling-Maxwell.

Room cleared. The Committee deliberated

Question put, That the Bill be reported, without Amendment, to the House.—The Committee divided :

Ayes, 5.

Mr. Vicary Gibbs.
Sir Seymour King.
Sir James Rankin.
Mr. Cohen.
Sir John Stirling-Maxwell.

Noes, 5.

Mr. Michael Austin.
Mr. Emmott.
Mr. Holland.
Mr. Monk.
Mr. Palmer.

Whereupon the Chairman declared himself with the Ayes.

Resolved, That the Committee do make a Special Report to the House.

[Adjourned till Tuesday the 17th July, at Twelve o'clock.

Tuesday, 17th July 1900.

MEMBERS PRESENT :

Mr. ATTORNEY GENERAL in the Chair.

Mr. H. D. Greene.
Mr. Emmott.
Mr. Michael Austin.
Mr. Holland.
Mr. Vicary Gibbs.
Sir James Rankin.

Sir Seymour King.
Mr. Monk.
Mr. Cohen.
Sir John Stirling-Maxwell.
Mr. Palmer.

DRAFT SPECIAL REPORT proposed by the *Chairman*, brought up, and read the first time, as follows:—

" 1. Your Committee have taken evidence on the subject-matter of the Bill referred to them. Representatives of Stubbs' Mercantile Agency and the Nottinghamshire and Midland Merchants and Traders' Association explained the object the promoters of the Bill have in view. The Inspector General in Bankruptcy and in the liquidation of companies, the Deputy Chairman of the Board of Inland Revenue, the Registrar of Joint Stock Companies, and the Superintendent of County Courts at the Treasury, gave evidence as to the proposed mode of carrying out the objects of the Bill from various departmental points of view. Amongst the written communications received by your Committee are the Appendices 1 to 14, inclusive, containing the remarks of the Bar Council of England, the Incorporated Law Society of England, the Provincial Law Societies of Liverpool, Manchester, and Birmingham, and the Association of County Court Registrars, the Faculty of Advocates, and the Society of Writers to the Signet in Edinburgh, and the Faculty of Procurators in Glasgow and the Incorporated Law Society of Ireland.

" 2. It has been established before your Committee that it is desirable to obtain public disclosure of all individuals who at a fixed place employ for the purposes of trade the names or styles of companies or partnerships or any form of plural designation. An effective register of this information would not only tend to facilitate commerce but would secure the identification of persons liable to legal proceedings, or amenable to Local Government and other requirements.

" 3. Your Committee have been unable to ascertain even approximately the number of traders or firms upon whom the obligation to register would fall if the Bill should become law, though they believe that it would be very great.

" 4. The evidence has revealed grave departmental difficulties in the way of carrying out the scheme of the Bill. The proposal to compel registration with a district record of it supplied by the central registrar is not found to be practicable, and the inconvenience of requiring the County Court officials to conform to rules made by the Board of Trade is a serious obstacle.

" If a complete system of registration is to be made immediately compulsory your Committee think that it would be necessary for some Government department now existing or hereafter to be created to undertake the responsibility not only of making and rectifying the register but also of compelling compliance with the law instead of leaving as much power to the Common Informer as is proposed in the Bill, a power which would almost certainly lead to great abuses.

" 5. If the adoption of registration is to be progressively introduced your Committee suggest that an incentive to register might possibly be supplied by depriving of their ordinary rights to sue under the firm name those persons who had not availed themselves of the provision as to registration.

" 6. Your Committee cannot surmount the difficulties observed by them without totally changing or reconstructing the scheme of the Bill and pursuing their inquiries as to the duties and staffs of the public offices to an extent beyond what is required for the consideration of the Bill before them.

" 7. Your Committee are therefore of opinion that the principle of the Bill should only be accepted in a measure more complete and more practical than that referred to your Committee. They are therefore not prepared to advise Parliamentary sanction being given to it, and have in accordance with this opinion agreed to report the Bill without amendment.

" 8. Your Committee think that the subject is well deserving of consideration with a view to possible future legislation."

Question, "That the Draft Special Report proposed by the Chairman be read a second time, paragraph by paragraph,"—put, and *agreed to*.

Paragraphs 1–3,—put, and *agreed to*.

Paragraph 4.

Amendment proposed in line 6, to leave out from the word "If" to the end of the paragraph, in order to insert the words: "Your Committee, however, are satisfied from the evidence that a Central Registration of Firms is practicable under the Department of the Registrar of Joint Stock Companies, who has expressed his belief that it could be efficiently carried out without loss to the Treasury"—(Mr. Monk).—Question put, "That the words proposed to be left out stand part of the paragraph."—The Committee divided:

Ayes, 7.

Mr. Cohen.
Mr. Vicary Gibbs.
Mr. H. D. Greene.
Sir Seymour King.
Mr. Palmer.
Sir James Rankin.
Sir John Stirling-Maxwell.

Noes, 4.

Mr. Michael Austin
Mr. Emmott.
Mr. Holland.
Mr. Monk.

Paragraph, *agreed to*.

Paragraph 5.

Amendment proposed, in line 1, to leave out from the beginning of the paragraph to the word "introduced"—(Mr. Monk).—Question, "That the words proposed to be left out stand part of the paragraph,"—put, and *agreed to*.

Paragraph, *agreed to*.

Paragraph 6.

Amendment proposed, in line 2, to leave out the word "totally"—(Mr. Emmott).—Question, "That the word 'totally' stand part of the paragraph,"—put, and *negatived*.

Another amendment proposed, in line 2, to leave out from the word "and" to the end of the paragraph, in order to insert the words "to such an extent as would bring it outside the scope of the second reading"—(Mr. Emmott).—Question proposed, "That the words proposed to be left out stand part of the paragraph."

Amendment by leave *withdrawn*.

Paragraph 6.

Question put, "That the paragraph stand part of the Report."—The Committee divided:

Ayes, 6.

Mr. Cohen.
Mr. Vicary Gibbs.
Mr. H. D. Greene.
Sir Seymour King
Sir James Rankin
Sir John Stirling-Maxwell.

Noes, 5.

Mr. Michael Austin.
Mr. Emmott.
Mr. Holland.
Mr. Monk.
Mr. Palmer.

Paragraph 7, *agreed to*.

Paragraph 8.

Amendment proposed, in line 2, to leave out the words "possible future"—(Mr. Monk).—Question, "That the words proposed to be left out stand part of the paragraph,"—put, and *negatived*.

Paragraph, as amended, *agreed to*.

Question, "That this Report, as amended, be the Special Report of the Committee to the House,"—put, and *agreed to*.

Ordered, to Report the Bill without Amendment, together with the Minutes of Evidence and an Appendix.

MINUTES OF EVIDENCE.

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MINUTES OF EVIDENCE.

Monday, 18th June 1900.

MEMBERS PRESENT:

Mr. Michael Austin.
Mr. Emmott.
Mr. Attorney General.
Mr. H. D. Greene.

Sir Seymour King.
Mr. Monk.
Sir John Stirling-Maxwell.

MR. ATTORNEY GENERAL IN THE CHAIR

MR. GEORGE SULLIVAN, called in; and Examined.

Mr. Emmott.

Mr. Emmott—continued.

1. You are the Secretary of Stubbs, Limited?
—Yes.

2. That company being the proprietors of a business which has been carried on under the name of "Stubbs' Mercantile Offices" for upwards of 60 years?—That is so.

3. You have a large number of subscribers, I think?—A very large number.

4. And you are, in the daily course of your business, brought into contact with a very large number of commercial firms besides those who are your subscribers?—That is so.

5. How many towns have you offices in?—In 58 towns we have branch offices and sub-offices throughout the United Kingdom.

6. You have agents and correspondents all over the world?—All over the world.

7. How many commercial inquiries do you make in the course of a year?—We make a very vast number; they are largely in excess of half a million per annum.

8. Is it your experience that one of the greatest difficulties in ascertaining the financial positions of firms in trade is the difficulty you meet with in finding out who are the actual partners in the firm?—It is; it is a daily difficulty; it is an hourly difficulty; and, generally, one may say that the poorer the trader, the lower his standing, the more difficulty there is in ascertaining the facts.

9. Then do you consider that the present mode of doing trade and the keen competition that exists makes it impossible for a firm who are asked to give credit to put such questions to the man who is asking for credit as they ought to have answered in order to be able to judge whether they should give credit or not?—I think, practically, that is impossible. An

ordinary commercial traveller who visits a large firm for the purpose of securing an order, or even a small shopkeeper or retail trader, is too anxious to secure his order to put any questions to the firm he proposes, or is anxious, to deal with; he is too anxious to obtain the order, and therefore does not ask them any questions which they might consider in any way offensive; in fact his difficulty is to get an order, and if he were to devote any time to making inquiries of that individual, or that firm, he would probably be ousted by a competitor.

10. Now if this Bill were passed do you consider that the information obtainable through the registries by registration would be of enormous benefit to you in conducting your enquiries on behalf of your clients?—Well, I do not know that it would be of very great benefit to us, I think it would be of the very greatest benefit to the commercial community; but I think that (at all events at the beginning) it would create very great difficulties for ourselves; it would complicate somewhat the character of the registers that we should have to keep; but the information so obtained would be extremely useful, and it would enable the commercial community to ascertain information which at present is out of their reach; they might then get at necessary facts which would be useful to them in the conduct of their business, without having to come to us; and it might tell a little against us in that way.

11. Yes; but you conduct these inquiries not for yourselves really; you conduct them for other people?—Always. We never make an inquiry until a subscriber first asks us to do it.

12. And the existence of such a register as this Act contemplates would be of great benefit to your subscribers?—Undoubtedly.

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13. And

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[Continued.]

Mr. Emmott—continued.

13. And so, to commerce in general?—Yes.

14. Then do you think there would be any real objection on the part of respectable commercial firms and persons to register under the Act?—I do not think so at all. Whenever I have mentioned the matter to any of our subscribers, or to firms we come in contact with, I have never heard any objection expressed; on the contrary, they would, I think, be quite ready to give the information so long as it was an obligation which fell upon every one. At present there is rather a feeling against giving these particulars, because it is not a general obligation; but apart from that, if it were made a general obligation I think every reputable firm would have no objection whatever to giving the information required.

15. You are aware that in the past, at any rate, considerable objection has been raised on account of the smaller class of firms. Will you give us your opinion upon that point?—Well, it is very difficult for me quite to appreciate how that objection arises. We have amongst our subscribers a very large number of retailers, of shop keepers, and small traders, I think one may say that it is a thing of the rarest occurrence for them to trade in other than their own names. Thomas Smith the greengrocer, is "Thomas Smith," and he trades as "Thomas Smith"; he never thinks of trading under half a dozen different names. Take the case of the costermonger, Bill Jones, I think he has his name "Bill Jones" on his cart; and it certainly applies to the ordinary grocer and baker, and provision dealer; each of those trades under his own name; his name is well known generally.

16. Then if "Thomas Smith" dies and his son, John Smith, carries on the business, does he generally change the name in that case to "John Smith"?—I think he generally does. To the small trader there is no particular advantage in his carrying on the business under another name, because he is generally well known in the neighbourhood; he deals with a class of people who know him, and there is no particular advantage to him in trading in other than his own name.

17. Then as regards the small trader you do not consider this would be a serious hardship?—I do not think the small trader would be affected; if so, he is affected only to a very small extent. I think they would be very few indeed who would be affected. Generally, when the small trader trades under another name it will be a very long and somewhat imposing name; and he does it for a certain purpose; and I think, probably, it would be desirable in the public interest that that class of individual, where he exists, certainly should register; he very often gets credit on a headed note paper because he has got a somewhat imposing name on it.

18. Now will you give the Committee some account of the difficulties that arise in making these inquiries of which you speak. I think there are cases in which the banking account is not in the name of the firm and in which great difficulty has arisen. Perhaps you could tell us one or two cases of that kind?—The case is not uncommon; on the contrary, I think, of recent years (within the past half-dozen years or so),

Mr. Emmott—continued.

this difficulty has rather increased. There appears to be a custom growing up for a trading firm to open a banking account in the name of one of the partners, and so far as their bankers are concerned, although they may be actually carrying through the transactions of that firm, they have no knowledge of the constitution of the firm, and it is not possible that any information can be obtained either through the ordinary trade sources or through the banking community, for the reason that the banker does not know for what purpose the cheques are actually drawn that are paid through the name of the single individual. As a result, both in the commercial community and in our own business, we find very great difficulty in settling what ought to be the credit due to such a firm; there may be three or four or five persons in it, but so far as the bankers are concerned, and so far as the trading community is concerned, there is only one name ascertained, that is the name that operates the banking account. That naturally very much increases the difficulty and makes it almost impossible for a commercial traveller who may be seeking business with that firm, or dealing with it, to ascertain its constituents, and to make the inquiries which should be necessary to discover the credit to which such a firm would be entitled before he enters into relations with them. He very often discovers later that the firm is not what he expected it to be, and the result is loss.

19. Then it is quite a common practice for a firm to have its banking account in the name,—or what professes to be the name,—of one partner entirely different from that of the firm?—Entirely different.

20. And any cheques paid are paid by him?—Paid by him.

21. So that the trading is very difficult to follow?—Very difficult; and then there is another point, which is a point, I take it, of very great importance. The constitution of such a firm as that which I was referring to being unknown, it is quite possible for one of its partners to execute a bill of sale hypothecating, say, the whole of his personal property, and from the fact that his name is not ascertained as a partner in that firm this bill of sale does not, and cannot, come to the knowledge of the commercial community, and the existing legislation for the protection of the commercial community is nullified to some extent by this want.

22. Then are there many cases in which partners withdraw from the firm or die without its being known, and in which the position of the firm is seriously affected thereby?—In our experience one of the commonest causes of loss to traders is through the decay—the degeneration—of firms either by death or retiral—the senior or the moneyed partner leaves the business which is still continued in the same name, and that firm receives a credit to which it is not really entitled because of the ignorance of the houses trading with them.

23. Is not the dissolution of partnership or retirement from the firm put in the Gazette?—It is. The average trader, no doubt, ought to take the "London Gazette," and he ought religiously to read it all the way through; but the

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the average trader I am convinced does no such thing; he ought to read it twice a week from the front page to the back page, but I am convinced that he never does. I see the "London Gazette," consisting usually of a huge thick volume, about four inches thick, and for all practical purposes retrials from partnership, dissolutions of partnership are buried there entirely. Then it is to be remembered that unless it is carefully and regularly read, and every dissolution of a customer or probable customer carefully noted up in a book, how is the average trader to remember that from the firm of "Smith & Co.," one of the partners, "Mr. W. Smith," retired on a certain day; and if he should go for a holiday or by any possible chance should miss reading one of the copies of the "London Gazette" he would not know the fact in some instances; he would not have the information; for practical business purposes it is not available.

24. Now I will ask you about some of the details. You, I think, have carefully considered the question of registering and the question of a central registry, and the question of provincial registers?—I have.

25. What is your opinion about it?—I have given the matter a great deal of consideration, and it appears to me that this is really one of the most important provisions of this Bill, and, as this question is dealt with, it will go far, I consider, to add to or diminish the usefulness of this Bill to the commercial community. First, my feeling is (and I may say that my feeling is shared by all those commercial firms that I have had an opportunity of discussing this matter with) that the register should be a central register in London, and for a number of reasons. First, let us take the case of a large important firm with a great number of branches, say they have 20 branches: If one notification to London will do, and that notification will then be sent out by the London registrar to the local courts, an infinity of trouble will be saved; but if that important firm with 20 branches has to notify the local registry of 20 local courts and to make 20 returns and pay 20 fees, then, it appears to me, it would be throwing a great deal of unnecessary trouble upon every large business firm; and the tendency in these days is to the development of large businesses by branches.

Mr. Monk.

26. Might I ask, is that to apply to Scotland and Ireland?—No, sir. I think in Scotland the central register should be in Edinburgh; I think in Ireland the central register should be in Dublin. Now, there is also this to be considered: The majority of legal cases will take place in the capitals of the three kingdoms; the majority of the legal cases will take place in London; there will be some in Dublin and some in Edinburgh, and, as regards those countries, the registers might be there. It must be very important in any question of legal proceedings that it should be ascertainable without any doubt at a given moment what the exact constitution of a firm is. I do not think that that could ever be if there was local registration. Now it is within my experience that there is a system of local registration now in existence, and it is in my experience very unsatisfactory. Where there is a small court in an uncommercial district, where the number

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Mr. Monk—continued.

of registrations would be very few, they are overlooked; they are not returned to the central registry. The matter is not one of daily routine as it is at the bigger courts where they would be sent regularly. At the smaller courts, in my experience, delays do take place; and I may remind gentlemen of the Committee that there is at the present moment a system by which the bills of sale and the deeds of arrangement are registered at the Bill of Sale Registry Office, at the Court of Queen's Bench. That system has worked admirably and without any friction since the passage of the Deeds of Arrangement Act and the Bills of Sale Act. The system there is: a bill or a deed is filed; an extract is made or put on the register, a very perfect register.

Mr. Emmott.

27. And at a very small cost, is it not?—At a very small cost. An abstract from the document is then sent by the Registrar of the Bills of Sale Office to all the local courts throughout England to which this Act applies. Now on the other hand, county court judgments are registered under a different system; they are registered at the local court, and a return is made by the local court to the central registry in London. Our experience is that that works very unsatisfactorily. I may say it is a common occurrence for us to be unable to publish county court judgments which should be published in the ordinary way in our Gazette, because we consider, to use a Scotch expression, that they are not "timeous" in consequence of the omission of local registrars to send up these returns. The judgments are often four months and five months old before we get them: As a consequence of that we do not publish them because it is felt that it would be perhaps somewhat of a hardship upon a party to publish a judgment which was so old, and so long out of date; and as a consequence the community do not get a knowledge of these judgments through our Gazette, and as our Gazette has a very large circulation (a very great circulation) one may say that our Gazette is the method by which people do get the knowledge of county court judgments. Now there is also a further disadvantage, as it appears to me, in a decentralised registration. The clause of the Bill is not quite clear to me which deals with the question.

28. Which is the clause, please?—Clause 5. In the case of an established firm who registers under the Bill, in the event of their opening a branch office, or two branch offices, they would no doubt have to make another return. I take it this means simply that they would have to make a return giving that added information. Are they to make that return through 20 branches, as well as the new returns; are they to pay again 20 more fees, and is not there a great chance, if that is to be left to the local branch, that they may omit it altogether; whereas, if it is to be done by the head office of the firm (which would generally deal with matters of that kind in a business as apart from its ordinary detail), the return would be made with more certainty; it would come within the province of some official who would have the duty of making that return; and one return only would be made instead of 20 or 30, according to the number of their branches.

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29. Your

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29. Your remark on Clause 5 is that you do not see any difficulty provided there is a central register only in each of the three countries?—I do not see any difficulty; but if there is not a central register it appears to me that that clause does not quite cover all I understand to be the intention of the Bill.

30. One reason that has been suggested as to the registrar of the county courts is that there may be comparatively illiterate persons who wish to make entries in this register or who would have to make entries in this suggested register, and they would be able to get advice through the county court registrars and officers locally, which they might have a difficulty in getting if they had to correspond with the centre?—I think it is very important indeed that the form should be made so clear that everyone will understand it. I do not think, as I have already said, that the very illiterate (the small) trader will be at all affected by this Bill or will ever have to make a return; I do not think you need much consider him; but I think that any person who is able to understand an income tax return and fill it up ought to be able to understand and fill up the form which is scheduled to this Bill.

Sir Seymour King.

31. Then you would object to Clause 5 as it stands altogether, because that contemplates registration at the place where the business of the firm is situated?—I do not object to the registration at the place where the business is situated, but I think there are very many objections to the local registration being the first stage.

32. I do not read it so; the whole question is whether the person is to register at the place where the business is carried on, and then that register be sent up to a central office in London; I am speaking of England for the moment, but the same thing would apply, *pari passu*, for the other kingdoms; or sent up to the central authority and then for the central authority to send it down to the place where the trader carries on business?—Quite so.

33. According to this clause it contemplates registration "in that part of the United Kingdom in which the place of business of the firm or person registering is or is intended to be situated"?—Yes. I understand it to be the central register, one in London, one in Dublin, and one in Edinburgh.

Mr. Emmott.

34. Then you think that the penalty for default contemplated under this Bill is not heavy enough?—I do not think it is. I take it that the object of this Bill is to secure complete registration. It is not to impose fines, but it is very necessary if complete registration is to be obtained that there should be some penalty which would be felt by firms who are not, perhaps, of quite the best standing, and who would desire, for their own purposes, to keep the constitution of their firm out of the knowledge of the commercial community. My own personal feeling is that I would be very glad to see the monetary penalty mentioned in this Bill doubled or trebled, and if that cannot be done I think it is very necessary to strengthen that

Mr. Emmott—continued.

penalty for any subsequent offence. I think that if a firm after having been discovered to be in default, again omit to register, there is a clear indication there of some improper and ulterior purpose. No legitimate object could be served by refraining from publication after attention had been called to it, and a penalty had been imposed; and in such cases it is very desirable that the penalty should be made as high as possible. Then my feeling also about the question of disability in proceedings is a very strong one.

35. That is Clause 12?—There would be firms who might not perhaps feel the monetary penalty, or might even risk the monetary penalty unless it were a very big one, who yet might be brought to register if they felt (as I would like to make them feel) that in the case of default they should be debarred from recovering under any contract which they had executed whilst they were in default; and if that cannot be done I think it is very necessary that at least that firm should not be able to sue until they had cured their default by registration. That clause as to disability you see is a very good and excellent clause as far as the ordinary wholesale house is concerned, but it would not touch a good many of the large retail businesses who really do not make contracts in the ordinary way, not when giving credit but only when taking credit; their business is a retail one done for cash, and we know that in these days such businesses as those have grown very largely and are now spread all over the important towns of the kingdom; they would not feel very much the disability, you see, and we ought, I say, to endeavour to affect them by a monetary penalty, because really there is as great a necessity for such a retail firm to register as for any other kind of firm, seeing that they are generally in the position of asking for very large credit and for very long credit.

36. Now turn to another question. I think you have already said that the form of notification or of statement that firms or persons would have to send ought to be very simple, and you suggest that it should be printed and stocked by law stationers?—I would make it just as plain and simple as it is possible to make it, so that "he who runs may read"; and it is a form that ought to be stocked and would be stocked in that case by every law stationer; and it could be obtained at a small cost, a penny.

37. Have you any suggestion to make as to the fee for registering?—I think it is very desirable if the community are to get the greatest value from such legislation as is proposed that the fees should be low. Let us consider the case of a large commercial firm having a considerable number of customers: obviously, if we ask a big fee, we are throwing rather a burden upon them, and the system under which the county court judgments are registered, I think, shows that such particulars as these can be registered and can be made available to the public at a comparatively low fee. I think, in the case of registering under the Bills of Sale Act, at a central registry, where the local registration takes place afterwards, the minimum fee is 4s. Now the registration of a bill of sale is a very different thing to the registration

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registration of such particulars as would be required to be registered under this Act. A bill of sale is an involved legal document, and at the Bills of Sale Office the official has carefully to read and consider before he makes a synopsis of the bill to put upon the register, which he does. It is held that 4s. is sufficient payment, not only for that, but also for his trouble in sending the particulars to the local court, and it appears to me, therefore, that half-a-crown would be an ample fee under this Act for the registration of the particulars. Now, the question comes, what are the public to pay for obtaining these particulars? Well, under the County Court Acts, an ordinary member of the public may go to the central registry here at Whitehall, and he can, on payment of 6d., have handed to him a certificate of registration of that judgment; he simply has to give the name of the party against whom he desires a search to be made; the officials turn to the Register of Judgments, and they copy it out of their register, on a blue form, which is signed by the Registrar, and handed over to the applicant on payment of 6d., and if that system of registration can be carried out (as it can be carried out, and has been carried out for a great number of years), it appears to me that it should be possible to do the same thing in this case, and it is at once an expeditious and economical method of dealing with it. I think it is not possible that a commercial trader or firm, desiring to ascertain particulars of the members of firms registered under this Bill, would be satisfied by an inspection of the register. If there are a large number of names in the firm, I do not think inspection of the register, as provided by the Bill at present, would be sufficient, and it is quite certain that, in the event of legal proceedings arising or this information being desired for that purpose, no inspection of the register would be sufficient—mistakes would be certain to occur if memory had to be relied upon, therefore it appears to me to be most desirable that the same method of making the information available to the public should be adopted as in the case of the county court judgment, and that a certificate of registration should be issued to the public on payment, say, of 6d.

38. You are only speaking of the cost of the certificate, are you?—I am speaking now of the cost. The Bill provides, under Clause 17, that the fee should be 1s.

Mr. H. D. Greene.

39. Two shillings?—For search, sir—inspection.

40. Oh, yes?—For what is called "inspection."

Mr. Emmott.

41. Those are maximum costs?—I think the fee is too high, and I think inspection is not sufficient for practical business purposes.

42. You are speaking of the actual fee?—I am speaking of the actual fee, what is actually to be charged to the public.

43. Have you a copy of the Bill?—I have.

44. There are one or two questions I want to ask you about it. I think I have got to the end

Mr. Emmott—continued.

of your suggested evidence; do you consider that solicitors and bankers, and people who are practically registered in some form or other now, should come under this Bill?—I think solicitors should come under the Bill, and I do not see any difficulty whatever in the way. If I may refer to a letter which I heard read whilst I was in the room, as to the difficulty of always using the names, it appears to me to be one which practically does not exist. I, as secretary of "Stubbs, Limited," have thousands of letters addressed to me (1,000 letters a day), and there is never any difficulty in my signing; an india-rubber stamp gets over the difficulty of the firm's names, and I think most traders' firms and most firms of solicitors would have a rubber stamp with their names on it, and if a particular partner desires to carry on the correspondence, he has only to give his clerk instructions to write the name of the firm, and then append his own name at the foot of that. It is a difficulty which is not practical, a difficulty which only exists in the imagination. It is very necessary, I think, that solicitors should come under this Bill. They have a system of registration now which I think is available to the public only through the publication of the "Law List." It is not every commercial person or every person of any description who may have transactions with a solicitor who will keep the "Law List" on his shelves.

45. The next question I want to ask you is about Clause 7; do you think one month is long enough for the registration, or do you think that requires extension?—It appears to me that it is a matter that might be done in a week. It appears to me that "the month" is ample. If you were to ask an ordinary business trader or firm to register to-day or to-morrow, they would be able to do it.

46. And if the Bill were passed by August they would have considerable notice, at any rate before it came into force?—Certainly. I do not see where the difficulty arises. Imagine the greatest difficulty, two or three partners abroad, or all abroad except one, there must be some partner who has authority to sign or enter into engagements for the firm who must remain here; his signature would be sufficient, and he would know the names of the partners and their addresses.

47. Then as to the suggestion that registering under this Bill when it is passed should do away with the necessity of notices in the Gazette, do you approve of that suggestion?—Well, I think that is rather a legal question. So far as I understand it I think it would be a mistake I think a notification in the Gazette is required under the partnership Act, and to comply with the Partnership Act; and you would have to amend the Partnership Act. It appears to me to be most undesirable.

Sir John Stirling-Maxwell.

48. You have told us that you do have a very large number of applications for information?—Yes.

49. Do you, in supplying information, as a rule, give the name of the firm about which the inquiry has been made?—We always give the name

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name of the firm and we give the names of the partners if we possibly can.

50. Do you ever have any application for only the names of the partners of the firm?—Yes, frequently; in the course of the year a large number, generally for suing purposes. People desire to take legal proceedings and they do not know the names of the partners and they make inquiry of us for the purpose of ascertaining them. I may say it is a class of inquiry which is most troublesome to us and most unremunerative, because it involves so much trouble, and so much research. You may make the round of the whole of a local trade circle; you may make the round of the whole of the bankers without getting a thread of information.

51. Then is the difficulty the refusal to give information?—The difficulty mainly arises through ignorance. The firm do not state the particulars. As I have stated in my evidence, they often open an account in a single name and they give out no information; if an ordinary trader approaches them they refuse it. In some of the inquiries that come to us they are made for the purpose of suing. Obviously the firm have an object in concealing the information, and when we apply to them they will not give it, they refuse it. When we apply to a large commercial firm of good standing they readily give us the information; in fact I may say that with firms of high standing we have no difficulty. It is the firm with whom you ought to be careful and cautious in your transactions that the difficulty exists, and the difficulty exists because they do not publish the information and there is no way of ascertaining it.

52. If you apply direct to a firm do you ever receive misleading or incomplete information?—I will not say they give us misleading information, I will not say that they tell us partners who are men who are not in the business, but we do frequently get information which is so incomplete as to be quite deceptive; and our experience in that direction has been such an unpleasant and unsatisfactory one that except on a special request from one of our subscribers, or for some particular purpose, we commonly do not go to such firm to ask the information because we have found it as a rule so incomplete, so wanting in particulars, as to be almost misleading and deceptive.

Sir Seymour King.

53. With regard to what you have said as regards the small trader, where would you draw the line at the firm being a small trader; do you mean an ordinary retail shopkeeper?—I mean an ordinary retail shopkeeper.

54. Surely it is a very common thing for him to go on in the original name?—I do not think it is.

55. I happen to know amongst my own tradesmen at least four cases in which they are carrying on business at this moment under another name than their own; cases in which the original man died, then it was carried on by his widow; his widow has re-married, in one case, and in another case the son is carrying on the father's business?—I think there are cases, but I do not think they are very numerous. I do not think the proportion they bear to the total number of firms is a considerable one.

Sir Seymour King—continued.

56. You do not?—No.

57. Do you think it is a common thing for a firm of that sort to have a banking account in one name?—Oh, quite common.

58. Surely the firm must receive cheques sometimes, payable in the names of the firm?—Yes.

59. And no banker would allow a cheque of that sort to go through the private account of one without the authority of the other partners of the firm?—It has only to be endorsed over. If a cheque is payable to "Brown, Jones, and Robinson," it is only necessary to endorse it over to "Samuel Smith," to enable Samuel Smith to pass it through his account.

60. I know it is so, but very few bankers would allow an account to be opened like that?—We know as a fact that there are a great number of these accounts. We must remember that the attitude of the banker to-day is not what the attitude of the banker was 50 years ago. Competition is being felt to-day in banking circles, as well as in other circles. The banker is as much affected by competition as the butcher, the baker, or the candlestick maker. We know as a fact, for instance, that some banks go out and canvass, seeking to obtain banking accounts, canvassing people to open banking accounts. When they do that they do not look very closely into the character of every customer. A respectable man,—"John Smith," comes to the bank with a bank note for 200*l.* and opens a banking account. As far as the banker is concerned that is all he desires to know about the man except that he has as a reference perhaps a house agent or a solicitor; thereupon the banker opens the account.

61. The banker may find himself in a very awkward position if he puts through that man's account cheques payable to that man's firm unless he has evidence satisfying him that the man was authorised by the firm to pass those cheques through?—Quite so.

62. I am speaking of what I know something about?—Quite so. I think the difficulty would be got over by endorsement.

63. You know as a fact that it is done, I understand you to say?—We know it as a fact, and I may say that in London it is quite common. There are certain districts in London where it is quite common.

64. You will agree, I think, that the object of this Bill is really to try and find out whether you may give credit or not, as a rule according to what the standing of the firm is?—As I understand it.

65. The knowledge of the names of the partners is a serious part of the trouble; we should still have to come to you or some other similar firm?—Or make inquiries in the trade.

66. Of the standing of each individual?—Yes.

67. And that being the case when we come to you, you can practically give us the names of the members of the firm?—Practically we cannot, I am sorry to say.

68. Cannot you always?—No, we have a large percentage of failure.

69. You say that the commercial traveller (and I quite agree with you) cannot ask questions now-a-days as to partners, but surely the partners themselves do?—I believe the order is taken and executed.

70. After

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Sir Seymour King—continued.

70. After the order is taken but before it is executed?—I doubt it. In ordinary business I will tell you what is our daily experience: Our subscribers write to us very strong letters complaining of the delay which has taken place in answering a particular inquiry which they sent, say, three days ago; they say their goods are waiting to be delivered, and they must execute the order or lose it unless they hear from us by return. Now under these circumstances it is very difficult to make inquiries in the direction you indicate.

71. There is only one point more I want to ask you about, that is, with regard to Clause 8 (I think it is), about the use of the name of the firm. As you say there is no difficulty in using a stamp; of course that is obvious, but in a great number of firms (especially solicitors' firms and kindred firms, stock brokers' firms, and bankers' firms), the partners are personally acquainted with many of their customers, and they will write and say what is known about some of them when enquiries are made about them by their friends. You would not interfere with that, would you?—I should not think that a letter of that kind would be brought within that clause. I take it this clause is absolutely necessary to secure the public against fraud, otherwise you would have parties registering in one name and really carrying on trade in another; giving their orders, that is to say, in another name.

72. The Incorporated Law Society of Liverpool appear to think that that is a danger, that a solicitor would be prevented from corresponding with his own client in his own name?—If that be a difficulty it is a difficulty which could be easily got over in drafting.

73. You would never suggest that the law should impose such a burden upon individuals, I gather?—Practically, whether you imposed it or not, the private letter would be written.

74. You think that the evil of non-registration is great enough to warrant the interference with private individuals, causing them to take the trouble of registering, and also the expense to the public of having registration carried out?—I think I do. I do not think the trouble is very great. We ask the public to make far more troublesome returns in every way than these would be.

75. You suggest that this should be an absolute return, or one return until the firm was altered?—One return until the firm was altered, or until there was a change in the address, or until they opened a new business. If they changed their business address, if they transferred their business from one town to another, it would be very necessary then to have a new registration.

76. A question was raised about the foreign branches of a firm; suppose a firm is carrying on business in London, in South America, and in New Zealand, we will say, under different names—in Buenos Ayres or in Auckland—would you require the firm in London to register the fact that it was carrying on business under those names in those districts?—No, I would not ask them to register if they were outside the jurisdiction.

Sir Seymour King—continued.

77. Outside the jurisdiction of the United Kingdom?—Outside the jurisdiction of the United Kingdom.

Mr. Monk.

78. I think you said you considered the penalty clause absolutely necessary, and that the penalty proposed in the Bill is not at all excessive?—I do not consider it at all excessive; in fact, my feeling is (very strongly) that I would like to see it increased; I think perhaps the penalty is not heavy enough. I certainly feel very strongly that for any subsequent offence the penalty ought to be increased.

Mr. H. D. Greene.

79. Have you had experience in Scotland and Ireland to which your evidence is to be taken as applicable?—Yes, sir; we have had branch offices for a great number of years at Edinburgh, Glasgow, Aberdeen, Dundee, and through the kingdom.

80. Do you suggest any differences in the systems to be adopted in either of these countries?—I do not think it is necessary to adopt any different system. In Edinburgh, for instance, there are two methods of recording protested bills—in Scotland.

81. We are dealing, please, with registration of firms?—Yes; I am suggesting that the method of registering the protested bills will also be the method adopted for the registration of firms. I do not consider that there is any difficulty in establishing a register. There is a Register House in Edinburgh, and an official; and in Dublin there is the Register House at the Four Courts, and also an official.

82. Are registers of judgments in each of those places with reference to all courts operating in these countries?—In Ireland the registration is at the central Court, at the Four Courts; all the judgments throughout the kingdom are returned now to the Four Courts. In Scotland the method of registration is somewhat different. The judgments (or "decrees," as they are called there) are registered at the local courts, and are only obtainable at the local courts.

83. Can you tell us at all what number of firms you apprehend would be affected if this Bill were to pass? Have you got any idea at all?—I have got an idea, but it is only an idea, and I hesitate. I feared the Committee might ask me that question, but I hesitate to give an answer to it. So far, of course, as one can make an estimate, I have made an estimate, and I have taken some trouble over it.

84. I mean with reference to the mode in which registration should be adopted; it may be rather convenient to get some information to see to what extent provision must be made, and in what localities?—Exactly.

85. Will you deal first with England, please. What estimate have you made for the requirements?—I am afraid I cannot give you any analysis of it; you must be content with a round figure. I have estimated that the number of firms that will register under this Bill will be 260,000.

86. In England?—Throughout

87. England, Ireland, and Scotland?—Yes.

88. Can

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[Continued.]

Mr. H. D. Greene—continued.

88. Can you allocate numbers to the different kingdoms?—I could not from memory, but I should be pleased to send the figures.

89. Is that basee on going through postal directories, or what?—Yes, it is based on a somewhat laborious examination of directories, counting the firm names in the directories.

90. Then that would only be based upon the firms as they are at present represented?—Exactly.

91. Now we are taking registration where you have no means of knowing how many constituents there are in the firm, but which would come under this Bill?—The method I have taken is that wherever there is an obvious trade name like "T. & J. Brown," or "Jones & Co.," or "Jones Brothers," I count everyone of those, not, of course, where a company name appears, "Thomas Brown." I do not count "Thomas Brown," or "William Jones," because that may or may not be a private individual, I grant you.

92. Quite so. Can you give me any notion what proportion there is of those outside the great towns like Liverpool, Birmingham, Manchester, and London?—I should think a very small proportion.

93. Have you looked through villages?—I have; yes.

94. To see whether there are trading firms there?—They are practically non-existent. If you take the County Directory and look through the villages, so far as you can tell from the directory they are non-existent.

95. But still there may be two or more people trading in more than one name?—Quite.

96. Such persons would have to come under this Bill?—Quite.

97. You have not included that class at all?—No, it is impossible to do so.

98. So that your estimate is, if I may say so, rather nebulous?—It is very nebulous; I take it any estimate must be.

99. Has any proposal or scheme been considered by you which should apply to different classifications of traders, which should say, for instance, that small traders should not come under it?—I do not think that is necessary, because I hold that the small trader will not be affected to any considerable extent.

100. Why not affected?—Would not be required to register.

101. Why not?—Because he does not trade under a trade name; if you mean by a "small trader" a small retailer.

102. Yes?—I do not think he trades under a firm name at all.

103. Take a man trading as "Walker Brothers" or "Walker & Co."?—He would have to register.

104. He would have to come under it?—Yes, no doubt.

105. Do you think it would be possible to prevent inconvenience to some of these very small people who like to trade in that way, if you put in a limit, we will say, as to their capital or their rateable value, or a limit as to what they pay for their premises, and so on?—I think all limits are undesirable. I would not impose any limit; you certainly could not do it as regards capital; it would involve, I think, an offensive inquiry.

Mr. H. D. Greene—continued.

106. Now as regards rural districts, do you think that if there are a number of villages all over the country where there are people who might fall under the operation of this Bill, it is desirable that they should have the opportunity of registering with the greatest convenience to themselves in their own locality?—As far as the question of convenience is concerned, I take it if they could obtain a form at a local law stationers and post it up to the centre, the business would be about as convenient as it is possible to have.

107. If there is any irregularity or mistake in connection with sending it up do not you think there would be very great inconvenience, and that it would cause delay while it was being adjusted between the small local trader and the central metropolitan office?—I do not quite know what character it must take. If he had filled up the form incorrectly, I take it it would be returned to him, and he would fill up a new one.

108. There is no provision of that kind for returning it in the Bill?—It would not have to be provided in the Bill: the return would not be filed. I think if it were obviously inaccurate it should be returned.

109. I think the view you have expressed has not always been the view entertained by "Stubbs" Agency. Turning to the evidence of Mr. Mackenna, which has been supplied to us here, I find, on page 98, that Mr. Mackenna, representing "Stubbs," was examined by a previous committee, and he seemed to think questions 2,164 to 2,169 somewhat differently. At question 2,158 he is asked "Have you considered the possibility of compulsory registration affecting the smaller class of traders onerously?" and he says: "Yes, I have considered that, and we do not think that they would feel it much of a grievance, because among the smaller traders there are not so many firms; they trade individually more." Then he goes on (question 2,164): Have you thought about limiting the operation of the registration of trade partnerships to traders who pay more than 10*l.* a year rent for business premises. (A.) Yes; perhaps that would be a more direct way of doing it. (Q.) Do you think that there would be many of those small men. (A.) Not many in London, but in the country there would be a great many, no doubt; but 10*l.* is a very low rental. (Q.) Have you a general idea of the proposed mode of registering proposed in the Bill. (A.) Yes, I know that it is to be done through the county courts. (Q.) You know that the county court registration offices are very numerous in the country, do you not. (A.) Yes. (Q.) Is there an office for the registration of county court judgments in London. (A.) Yes; we constantly go there and extract them all. (Q.) Do you think that a scheme by which all local registrations should be forwarded to that office would be a very convenient one to you. (A.) Yes; we could then search just as we do now for bills of sale and other securities?—May I interrupt, sir?

110. Yes?—That is a different form of register. "bills of sale and other securities." The bills of sale and deeds of arrangement registered at the central register are returned to the local courts.

111. Yes; but it is suggested to the witness that

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[Continued.]

Mr. H. D. Greene—continued.

that a scheme by which all local registrations should be forwarded up to that office would be a convenient one, and he said "Yes"?—I think, as far as our personal convenience is concerned in our business it would not affect us.

112. It would not affect you?—No.

113. You would have a central register?—Quite so.

114. It would be furnished through the localities?—Yes. I was only regarding the matter from the point of view of the trader; he has to register—that was my point of view.

115. Would it not be more convenient to him—(he may perhaps live in a town with a county court attached to it, or a town where there was a county court office)—to have just to walk across the street and register than to have to send up to London?—I think it would be as convenient to walk across the street and post his letter—his return.

116. But if there is any explanation wanted he can get it there; and it would operate then from the town of registration in the locality?—Quite so; but I think it is very desirable that the form should be so clear and plain that he should not want any explanation at all. May I just point out one difference in the subject now under consideration and the topic of the evidence you have just read. That, I think, related to a Bill which proposed to affect the law of partnership,—it was in fact partnership registration.

117. Yes?—I understand this Registration of Firms Bill is not the same thing—it does not affect partnerships.

118. They were considering both, and I think you will find their Report dealt with both. Do you think there should be a re-registration on oath, or is there not required some evidence of identification if the person sends it up from the country to London?—I do not think that is necessary. I think you may rely upon it that the fact that there is a penalty for a false declaration, would be sufficiently protective.

119. The false declaration would be only found out, probably, after some loss had been incurred by somebody?—No doubt.

120. Do you approve of the system of going before "a Justice of the Peace, Sheriff, Solicitor," and so on, which is provided for in Clause 6?—For the purpose of making a declaration.

121. Yes?—I do not think that is necessary.

122. Then you would merely let the unverified paper come up to a central office in London?—I should. We make our Income Tax Returns on unverified papers. I think the clause we have in the Bill, providing a penalty for a false declaration, is sufficient. If that does not restrain an individual from making a false declaration I do not think his oath will restrain him, you know.

123. Then there is nothing to show that this Clause 6 is not required to identify the declarant?—I think that is a useful provision, that he should sign it in the presence of a justice of the peace or a solicitor.

124. Would it not be much more simple for him if he lived in a county court town where there was a district county court register, and where he probably would be known?—It does not affect my mind at all.

0.25.

Mr. H. D. Greene—continued.

125. Then he would be identified?—He would not be identified by the registrar; he would still have to be identified by one of the officials named here; the registrar would not identify him.

126. With reference to the county court, you said the majority of legal cases would take place in the capitals; but, surely, the greater number of actions, in which it was necessary for the names of the parties (plaintiffs and defendants) to be known, would be brought in the county court, would it not?—Quite so.

127. The county court legislation is far larger than that of the high court in these matters?—Quite so. I was speaking, of course, of high court matters, superior court actions.

128. The names of parties are wanted just as much in the district of the county court?—Perfectly true.

129. And the number of actions which are entered there are much larger?—Perfectly true.

130. Does it seem to you, in that point of view, that it might be desirable to have local initiation rather than central?—No, the information would be available just as it is available now.

131. In order to get the information, a person in the locality would have to send to London, and in order to get the certificate?—No, sir. I take it the same system would be applied to the local registry as for bills of sale. A man living in Sheffield or in Derby, if he requires, before taking a county court action, to know whether or not his debtor has registered a bill of sale covering all his personal property, can ascertain that fact at his local registry; and he does do so.

132. Do you say that all professions should be registered?—I think so. I do not see any reason for making an exception.

133. Bankers are registered at present; do you wish to repeat their registration?—I do not think that is necessary so far as bankers are concerned.

134. You would exclude them. The law at the present moment requires them to register?—Yes.

Sir Seymour King.

135. And to do it every year?—And to register every year.

Mr. H. D. Greene.

136. You would exclude them?—Yes.

137. You would omit them?—I should omit them.

138. Persons in partnerships relating to patents—would you except them—or trade marks?—I would not touch the question of partnership at all. It is very difficult for me to express any opinion upon that, sir.

139. Where a person was acting in a plural name, or where two persons were acting in trade or business, what would you do?—I should say wherever they were carrying on business under a trade name or a name other than their own, they should register whatever the business may be, if they are carrying on business they know whether or not they are doing so.

140. Medical men, for instance?—If they are carrying on business, yes.

141. Two together?—Yes.

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142. You

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[Continued.]

Sir Seymour King.

142. You would not mean a temporary syndicate for carrying on business, would you?—No, I do not understand that as “carrying on business” in the ordinary way.

Chairman.

143. Would you propose to confine registration to the names of the acting partners, or would you include a sleeping partner?—I would include every partner in the firm of whatever kind.

Mr. Emmott.

144. I just want to ask this question on one matter, that is about your estimate which I was interested in: Did you attempt to search all the directories in your possession for the purpose of making this estimate, or did you select suitable urban and rural districts?—We selected certain town directories and certain rural directories, and counted steadily through the number of names on every page.

145. You applied your estimate of proportion of population in the district to the proportion of the population of the whole of the United Kingdom?—Exactly.

[Adjourned for a short time.]

Sir Seymour King.

146. I am afraid I did not make quite clear a question I addressed to you in regard to whether you did not think that this Bill should necessitate the registration of firms carried on outside

Sir Seymour King—continued.

the United Kingdom in the case where those firms are identical with a firm in the United Kingdom, or practically identical with it; you will see in a moment one partner of a firm may be domiciled in this country, and be used as a purchasing agent or a drawing post by the firms who are carrying on business abroad in South America or other parts of the world; do not you think that that man in this country ought to give notice that he is interested in those firms?—I do, sir. I think that is very important. I did not, perhaps, quite understand the bearing of the question which you put to me before, but I see quite clearly what you mean now, and I think it is most important that such firms should be registered. If “Brown” is carrying on business under one name here in combination with certain persons, and in combination with certain other persons or with the same persons carrying on another business in South America, I think it is most important that the trading community should know what his liabilities are under all heads—under all partnerships, under all the methods by which he trades; and I rather regarded Clause 5 as covering that because, if “Brown,” carrying on business under one trade name here, is carrying on business under a trade name in another part of the world, and if he did not include that in his return, I should not regard his return as being complete.

147. You mean that you think Sub-section (c) covers it?—I think so; and if it does not, it is most desirable that it should be made to cover it.

MR. ROBERT MELLORS, called in; and Examined.

Mr. Emmott.

148. You live at Nottingham, I think?—I do.

149. You are a Fellow of the Institute of Chartered Accountants, an Alderman of the Nottinghamshire County Council, and you have been in business as an accountant and estate agent since 1854, I think?—Yes.

150. Since 1861 you have been the Secretary of the Nottinghamshire and Midland Merchants' and Traders' Association, a society that has 850 members who are manufacturers and traders carrying on business in the counties of Nottingham and Derby?—I have.

151. Since 1865 you have been Secretary of the Association of Trade Protection Societies of the United Kingdom?—I have.

152. Now will you tell us something of the Association of Trade Protection Societies?—That association embraces 78 societies, which societies are located in the principal towns of England, Ireland, Scotland, and Wales; they have in the aggregate 40,000 members, all of whom are manufacturers, merchants, and traders.

153. And these societies are continually occupied in making status inquiries for their members?—Yes. We make many thousands of inquiries daily with regard to the trustworthiness and respectability of parties ordering goods, and upon the answers largely depends the trade of the country. By that I mean to say that the

Mr. Emmott—continued.

operation is that through the facilities thus furnished to traders the soundness of trade is promoted, losses by bad debts are prevented, swindlers are exposed, good men although of limited capital are helped, because a good answer from a status inquiry is to a certain extent equal to additional capital.

154. Of course you have looked at the Bill. Have not you?—Yes, I have.

155. I take it you consider the objects at which the Bill aims are desirable and even necessary objects?—I do. Our association passed a resolution in favour of a similar Bill in 1871, and at the Hotel Cecil in May another resolution was passed in favour of such an operation; indeed for the whole of the 30 years we have been petitioning and trying to obtain powers that are sought to be given by this Bill.

156. Now have you made any calculations similar to what Mr. Sullivan made with regard to the numbers of people who would require to register?—No, I am sorry to say I have not.

157. You must have a particularly large experience in connection with your Trade Protection Societies, a particularly large experience of the small trader?—Yes, we have.

158. What is your opinion about that. Do you think the small trader would be under any hardships really under this Bill?—No, I think he would not be under any hardship assuming that

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[Continued.]

Mr. Emmott—continued.

that you have a very plain simple form readily accessible with a small reasonable fee and no forms particularly to be gone through. Beside that I do not think you could make any provision for division, that is to say, you could not say that one man is to be defined as a small trader and another as a large trader. Of course the two extremes would meet, but there is no one particular point at which you could define.

159. You would not make it a 10% rateable value or anything of that kind?—No, you could not.

160. Do you think there are any large proportion of small traders who trade in other than their own names?—Yes, there are a number of a class who do not want to have their names known and whom it is desirable should be known. There is a considerable number of persons who do not trade in their own names.

161. Then with regard to them, you say it is eminently desirable that it should be known?—It should be known, yes.

162. There are a great many people add on "& Co." to their names, do not they?—A great many do, and where there is no "Co."

163. You find it very difficult to ascertain whether there is a partner there or not?—It is almost impossible to ascertain; at least it is most difficult in the cases where it is most desirable that it should be ascertained.

164. Now with regard to the question of registration in the three capitals or in the provincial towns, what is your opinion upon that?—In the first place there must be registration at the capitals. As to whether that registration should proceed from the capital to the locality or from the locality to the capital is another matter.

165. That is another point?—The last witness of course speaks as a "Metropolitan," I speak as a "Provincial," and I should not be sorry if there was the opportunity given for a little man going to the county court and being able to effect his registration there, in which case he would have to fill up forms in duplicate, one to go to the capital and one to be registered locally.

166. Do you think there would be any delay in adopting such a plan as that?—None whatever; but I think it is of the utmost importance that the registration should be effected by a simple form to be sent by post, in which there would be of course only the delay of the one day. Any complicated system or any absolute requirement of personal attendance I think is to be avoided as increasing the difficulties, but if there was a simple form to be filled up and sent to the principal office in London, and to the local county court, I think there would be no hardship involved upon anybody. I do not think you ought to have such a form to be sworn to. No safeguards would be necessary beyond the form, and that (I think) that form should be signed in the presence of a magistrate or of an officer of the county court or of some public functionary who could be appealed to, otherwise you might have some false returns.

167. I will now take you to the question of the penalty clauses: Have you any observation to make on that question of the penalty?—I think the penalty in the clause as defined in the Bill is reasonable; it is not excessive. There must be a penalty clause, because it would be to

0.25.

Mr. Emmott—continued.

the interest of some people not to register. There are people that sell for ready money, so if there was not a penalty clause they would not care about registering. Swindlers would not care about registering. I think there must be a penalty clause, and I think that the penalty clause as defined in the Bill is reasonable. Such a penalty as is given in the Money-lending Bill would be very excessive and unnecessarily harsh.

168. That is very much higher?—It is very much higher, and it involves imprisonment and so forth.

169. Then with regard to the question of any exclusions, do you think solicitors should be excluded from the Bill?—I do not think there is any need for it, indeed they generally put at the top of their letter heading that the partners are so and so; I do not think there is any reason for excluding them.

170. Then as to bankers you think the same?—It is a matter of very little importance, because we generally know them. The less exclusions I think the better. You had better include everybody unless there is some special reason for not doing it.

171. Have you the Bill before you?—Yes.

172. Do you attach importance to Clause 8?—That, "The name of any firm or person registered under this Act shall be used in all matters": well, yes, but not to the exclusion of letters signed by individual partners in their own names.

173. You attach importance to it in the sense of preventing fraud?—Yes.

174. If possible you would like to see the wording altered so that a man with no wrong intention could continue to write, as has often been done in the past, a letter on behalf of his firm signed by his own name?—A large part of business is done in the name of one individual partner; I think it is not desirable that it should apply to a common letter.

175. But on the other hand, the absence of any such provision as is made in Clause 8 would render this Bill somewhat nugatory probably?—Yes, it would be easily evaded; a clause is desirable, it might be better defined.

Sir John Stirling-Maxwell.

176. I should like to ask whether you would express any opinion as to what a small trader would be likely to do if this Bill were passed. There are many small businesses in which the business is carried on in the name of a man who has died, or a man having made over his shop and the business being carried on by his son?—Yes.

177. Would you think in such cases as those that as a rule the successor would prefer to pay for registration or would change his name?—I think some would do the one and some would do the other. I do not think you must alter the Act for a class of persons of that sort, but rather that they must adapt their action to the requirements of the law. There would be no hardship involved in such a case. It is very desirable it should be known who the successor is.

178. You would not express an opinion as to what would usually be done in such cases?—In such cases I think as soon as it became known, the person would register that he is the person carrying

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carrying on the trade. If you do not have a requirement of that sort then there are not only individuals but a large number of firms whose actual partners have long since ceased to exist, but the name of the firm is kept on just the same from generation to generation, so that you must have the registration.

Sir Seymour King.

179. Do you think that there is an urgent need for this Bill?—I do.

180. Then you ascertain in your daily course of business the need for knowing who the persons are?—I do. Our association for 30 years have been praying for it, and of course they would not be praying for it unless they felt the need of it. I say it is very difficult to ascertain the names of partners, and very desirable that they should be ascertained to protect the soundness of the trading of the country.

181. In regard to registration do you think such a registration should take place in the locality, and that simultaneously a duplicate return should be signed and sent to a central office. Do not you think that between the two stools it might be done nowhere. How would you send it, through a local register or direct?—I would have it sent direct to the registrar in London and to the registrar of the county court.

182. You would only have one fee paid?—Only one fee paid.

183. And that would be paid in the locality?—When you speak of the locality it must be borne in mind that the huge mass of cases would be in London.

184. I am speaking of the country, the provinces. For instance, suppose it was in the county court of Nottingham?—I think it would be best remitted to London.

185. You would have a uniformity of payment?—Yes, I think there should be a uniformity.

Mr. H. D. Greene.

186. In the case of the small trader would not the coming into operation of this bill involve his having to alter his billheads and his stationery very often, and his stock?—No, sir.

187. If Clause 8 is to continue to say that "The name of any firm or person registered under this Act shall be used in all matters connected with or relating to the business carried on by such firm or person," would not that involve his changing his billheads and changing his stationery?—No, sir; he would continue to trade as he does now, but registration would show who the firm was.

188. Supposing there is a person trading now as "Smith & Co." (only one man), would the effect of this be that he would have to make any alteration or would he continue as "Smith & Co."?—I think if he holds himself out as "& Co." and trades as a "Co." he ought to have to register.

189. Then he is registered as what; in his single name?—He would have to register his single name but trading as a company.

190. Then if he is registered in his single name would not he have to get rid of his "Co." from his stationery?—No, he would register as "Smith & Co." He trades as "Smith & Co.," therefore he must register. It would then be seen that the "Co." was nobody.

Mr. H. D. Greene—continued.

191. You would not suggest altering the law so as to say that a person trading alone should not assume the "Co."?—No, I think you must not alter the law; the less interference with the law the better; all we want is to have facilities for sound trading and ascertaining the facts.

192. There is another case dealt with by the Bill; the name of a firm that carries on business under a trade name which does not consist of the full or usual name of all the partners; they have got then to register all their full names?—Yes.

193. Would the stationery and all the stock be affected in that case?—No, it would not.

194. Now will you give us a notion as to what you say you think would be the fair and reasonable fees to expect a small trader to pay in return for whatever advantage he may get under the Act?—Oh, somewhere between half-a-crown and 5s.

195. How would it work out; what would you suggest should be the proper fees. I will take the case if you please of a person in a village five miles from Nottingham; he is now trading as "Smith & Co.," we will call it; he is a baker, and he has got to register; what would you say would be the course of procedure which ought to be adopted; what would be the expense to him. Then I am going to ask you: what would you consider he ought to have got by it?—In the first place, I think he should be able to obtain from the county court office in Nottingham (or wherever it might be) a printed form at the cost of a few pence.

196. He has got two forms you see, say at a penny each?—Yes.

197. That is twopenny?—In the second place he should be able to send the forms.

198. But he has got to make a declaration under Clause 6, you see. My recollection is that you have got to pay eighteenpence for making the declaration to the magistrate's clerk?—I think it ought to suffice that he should simply fill up the form with simply the words "I declare this is true."

199. Made before somebody?—No, not made before somebody. I think you must have the signature witnessed by somebody.

200. Then he has got to have that witnessed by one of those people who would be entitled to charge something, unless writers to the signet charge nothing for their work?—If he goes before a solicitor and is sworn in the ordinary course, of course he must pay for it.

201. That is eighteenpence?—That is eighteenpence. The suggestion I have made is that he should be able to go before a magistrate or public official and not pay anything for it.

202. Magistrate's clerks do not always allow that; they claim if you come that they are entitled to be paid the fee for administering the oath?—Yes.

203. However, that would be a shilling or eighteenpence?—Yes.

204. Then what is the next step?—That form would be sent to London and to the local court, therefore there would be a penny or twopenny for postage; then I suggest half-a-crown.

205. What is the fee to be?—I am suggesting half-a-crown.

206. And

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[Continued.]

Mr. H. D. Greene—continued.

206. And he would get back the certificate, would he?—He would get back the certificate.

207. That would come to about 4s. 4d.?—Yes.

208. Now what benefit do you apprehend that the hypothetical tradesman, a baker five miles from Nottingham, would get by his outlay of 4s. 4d.?—I am not sure that he would get any, except this: assuming there was a partner of good position and responsibility, he would get the benefit of the knowledge of its being known that his partner was a person of good position, and so on. I think the benefit is rather to the public than to the individual trader.

209. I am looking at it in this way: it is giving a benefit, as you say, to the public, but it is a cash expenditure to a number of people; would not you say that they should get a benefit by it?—It must be borne in mind that the man is going to get the benefit of the knowledge of somebody else—he is trading with the knowledge of somebody else, and he is going to get the knowledge to do that, so that it is only a *quid pro quo*.

210. My point was rather going to this, whether it is an expense that should be borne by the public or whether it is an expense that should be borne by the trader, because, if this is to be for a great public advantage, it may be a question whether the public should not pay for it?—I think the public will, to some extent, have to pay for it. In the first place, I think the individual trader should pay a small fee.

211. We have got it up to 4s. 4d.?—Yes.

212. Why should not that 4s. 4d. be paid by the public at large, or why should not you reduce the fee which this man has got to pay from 2s. 6d. to “*nil*,” say?—I do not think there would be any hardship, it would be done only once, and would not occur again unless there was some change in his firm, so there would be really no hardship upon him. With regard to the public, they will have to contribute in another form, because I apprehend that these fees will not pay the entire cost of the office and salaries, and all the expenses that will occur. Now it is desirable that the fees should be as low as possible. I think it is reasonable that there should be fees, but with regard to the other fees, that is to say, the fee for obtaining information, I think that should be very small, because publication is what is desired, that is, the operation of the Act is for the benefit of the public, therefore the public should be able to obtain the information sought for at a very reasonable or a very small cost.

213. Then I should suggest to you whether this would not be a way of dealing with it, that the recording of the fact (which is for the public good), should be done with as little cost as possible to each trader, who would get no direct advantage, but that any person who wished to get a copy of the record, or a certified copy of the record, should be the person to pay for the information; you see your way makes it work to the interest of the trade protection societies, because on your theory they would get the information very cheap to distribute to their customers, but it would be a heavy cost to the individual trader. I suggest to you the other way, that it should be a minimum

Mr. H. D. Greene—continued.

burden cast upon the individual trader, and let those who want it pay for the information?—I would rather distinguish: any person who wants a certificate I think should pay for it, pay a reasonable fee; I would not say a minimum fee or a small fee; I should not object if it had to be 2s. or something of that sort for a certificate. I think the search fee should be small.

214. The parties who searched mainly would be trade protection societies?—Precisely so; they are acting for the public. They are acting for the great mass of the traders.

215. Now will you just give me another thing. You said a simple record should be sent up from the locality to London. Suppose there were two or three duplicates sent up, or suppose there was any necessity to rectify the register afterwards, do you suggest that machinery should be introduced in the Bill for making the record here. Supposing there are disputes between two people, or a dispute by one person whose name has been sent up as to whether he is trading or not, is there anything in the Bill for rectifying that?—My suggestion is that each person who is in the firm should have to sign.

216. Suppose I said my neighbour or my nephew was partner in a firm with me and I chose to send that up, we might have a *bond fide* dispute about it; or (say) he sends it up and I want to get it cancelled, is there any way of doing it?—My suggestion is that each partner should sign; not that one man should sign the names of two or three or four partners, but that each party should sign the form.

217. A separate form?—No, each sign one form.

218. Might not that cause great delay and inconvenience if one form only is to be sent signed by each, and each signature to be attested?—I do not suggest that each party should sign a separate form. My suggestion is this: suppose the firm has three names, that each of the three members of the firm should sign the form.

219. I will take the case of two of those being out of the country; would not that delay the procedure very much?—That would delay the procedure. In such cases I think you must have the form signed by one person, who declares he is authorised—or something of that sort—to sign for the others.

220. But is there any provision in the Bill to meet the difficulty I have suggested; I have suggested the case, you know, of there being more than one return, and a dispute amongst the alleged partners; the fact that there has been a registration, and one person alleged to be a partner desiring to have it cancelled?—If he desired to have it cancelled there would be a re-registration.

221. No, I am taking the case of a person who does not wish to be continued as a partner any longer; you say he must register to say he is out of it?—Yes.

222. Then how will a person, looking at the register, get true information in the case I put when he finds a statement by me that I am out of it; my co-partner, a member of my firm, may stick to it that I am in it, and the register would show both?—I think you can only have a re-registration

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registration. I am afraid you must go in for some comprehensive scheme if you are to make a provision for partners disputing and desirous of retiring, and so on, appealing against the register, and so on; certainly we should not desire to have any such complicated system.

223. Then what would be its value if there were two partners who insisted on different statements as regards the register—one who says he is not in the firm and the other who says he is?—Then you can only remedy that by giving a right of appeal to a court to decide as to which is right. That, I think, would be outside the scope of the present Bill.

224. Do you think it would be desirable that there should be some clause introduced into the Bill, so as to prevent it being generally supposed that people who are not on the register are not liable?—I do not quite understand what you mean.

225. A person may be a member of a firm who is not disclosed, he may be an undisclosed partner—a sleeping partner?—Yes.

226. Do not you think the Bill ought in some way to provide that notwithstanding he is in fact and in law a partner, the fact that he is not disclosed on the register shall not be any protection to him?—I suggest that if he is a partner he should be put on.

227. You would put him on compulsorily whether a sleeping partner or not?—Yes, if you make exemption in such cases you open the door to any amount of fraud.

228. What I meant to say is, ought it not to be said in the Bill somewhere, that although the person may not be registered, though the registry may have been omitted, yet that shall afford him no protection, if in law he really is a partner?—I think that is very desirable.

229. And made clear?—And made clear.

230. Otherwise is not the tendency of the Bill to make people suppose that it is only those who are on the register who are liable?—Yes, I think a saving clause might very readily be introduced there and would be advantageous.

231. It would not alter the law?—No.

Chairman.

232. The case may arise of a dispute between A and B; A saying B is a partner, and B denying it?—Yes.

233. How would you deal with that in this registration?—Well, there it would be evident, I think; it would have to abide by the result of a case being heard before a judge.

234. But pending litigation, which neither party might be disposed to institute, what would you do?—The party that says there are more partners, or rather that there are several partners, I think the obligation should be laid upon him to register, and if the others say that they are not partners they will not sign.

235. Then you would let the register show the state of facts?—Yes.

236. That A alleges that B is a partner, and that B denies it?—Yes, if you could do so.

237. If I understand you rightly, that is the way you propose to deal with the situation?—My suggestion is that a very simple form should be filled up, and that each party should sign. In

Chairman—continued.

the case that you have suggested the party objecting would not sign, and the form would stand for what it was worth, that is, supposing there were two partners who assented and one who did not assent, it would stand for the two.

238. That would be a notification to all who chose to inspect the register that it was alleged that B was a partner and that he did not admit it?—Well, it might be so.

239. I do not suggest that it is not a reasonable solution of the difficulty at all, but I mean have you no other way of dealing with it?—No, no other way. Each party must sign.

240. You would not propose to constitute any other tribunal for dealing with such a state of things as that?—None beyond the present courts.

241. That would be beyond the scope of the Bill?—Yes, that would be beyond the scope of the Bill.

242. One other point I wish to ask your opinion upon: you have looked at the 7th clause of the Bill, "The firms and persons required to be registered as aforesaid shall register before they commence business. Provided that if such firms or persons have carried on business before the commencement of this Act it shall be sufficient if they register within one month after that date," do you consider that time sufficient?—There is no reason why they should not register within the "month"; but if it was thought to be too limited it might be "three months," but I prefer it as it is, "one month."

243. I suppose you might have firms carrying on business here as well as abroad and some of the partners in distant parts of the world?—For firms who were abroad as well as carrying on business abroad, the time might be extended very readily.

244. And must be?—Yes.

245. It would have to be extended?—Yes.

246. What time would you consider a reasonable one?—I should think three months. Every part of the world is reached now within three months.

247. Yes; and possibly you might give them six months?—I think it would tend to be evaded unless you had it limited. For inland firms I think one month is reasonably long enough.

248. At the same time it would be rather difficult to legislate for firms with one or more partners abroad as distinguished from those all of whose members happened to be in this country. One of the members might be in France at Paris, at the Exhibition, at the time the Act came into force?—Yes, I think if you begin to extend the operation of the time because one or more members of the firm are abroad you are tending to promote evasion. Generally speaking the members going abroad have executed a power of attorney to someone to sign their names.

249. I want to get your opinion as to whether you think it would be best to fix a period which would provide for the case and allow a reasonable latitude to those firms which might have members abroad?—For all ordinary purposes one month would suffice. If a firm by reason of having some members abroad wanted an extension of time the registrar might very well grant such extension.

250. Your

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Chairman—continued.

250. Your suggestion would be that a clause should be added to the Bill giving power to the registrar to extend the time?—Well, there must be some power to meet some such cases, and it would be reasonable to give a power of that sort where there was a sufficient reason assigned.

251. Then one other point you will perhaps give me the benefit of your experience about. Of course this Bill would introduce a considerable change with regard to a vast number of firms. Have you formed any estimate of the number of firms or persons carrying on business

Chairman—continued.

abroad under a firm's name who would be affected by it?—No, I have not. I am sorry I cannot help the Committee in that respect.

252. The Bill proposes, by Clause 2, that it should come into force on the 1st January next—the 1st January 1901. Would you think it desirable to give any further time to enable the public to realise the new condition of things?—If Parliament passed this Bill by August there would be sufficient time by the 1st January for the registration to be effected.

Monday, 25th June 1900.

MEMBERS PRESENT:

Mr. Emmott.
Mr. Vicary Gibbs.
Mr. H. D. Greene.
Sir Seymour King.

Mr. Mendl.
Mr. Monk.
Mr. Palmer.
Sir John Stirling-Maxwell.

HENRY DAVID GREENE, ESQ., IN THE CHAIR.

Mr. JOHN SMITH, C.B., called in; and Examined.

Chairman.

253. I THINK you are Inspector-General in Bankruptcy of Companies?—Yes; I am Inspector-General in Bankruptcy and in the Liquidation of Companies.

254. And I think you have held these offices since 1883 and 1890?—Yes. Those were the dates of the passing of the Acts under which the offices were created.

255. Before you entered into the public service in 1883 were you engaged in business pursuits?—Yes; I was engaged in business pursuits both at home and abroad.

256. And have you had occasion to study the existing registration of firms or partnership?—Yes; I have had occasion to study it in both capacities, both from a business point of view and from an official point of view since I entered the Board of Trade.

257. The question raised by this Bill has been frequently before the Board of Trade, has it not?—Very frequently. It has been brought before them chiefly by representations of associated chambers of commerce and other bodies, including trade protection societies.

258. We know Lord Farrer gave evidence for the Board of Trade on the other Committee?—Yes; he was the Secretary to the Board of Trade.

259. Have you found the representations made have been in favour of such a Bill as this?—Yes; I think I may say they have been almost entirely. Indeed, so far as I know they have been entirely in favour of it. I am not aware of any important opposition from any public body or representative interest.

260. What class of persons have you had—associated chambers of commerce?—Yes. And trade protection societies, and representations by individual members of those bodies, members of Parliament and others.

261. I gather from the reports that the Board of Trade have not viewed the proposal favourably up to the present?—Up to the present time

Chairman—continued

I believe the Board of Trade have felt there are objections—not to the object aimed at by the measure but to the various Bills which were presented. They felt the difficulties connected with the subject were so great that they were unable to give official support to the various measures which have been brought before Parliament.

262. Then it is not an objection to the principle at all I take it?—I think not.

263. But to the practicability?—That is so.

264. Have you looked at the present Bill?—I have carefully looked at it.

265. Can you give us your views with reference to any objections or points in its favour. First of all, are there any points that occur to you to be worthy of comment in favour of the Bill as it stands?—Perhaps I may first of all deal with the general objections, as I understand them, which I find summarised in the evidence given by Lord Farrer in the Committee of 1872. Lord Farrer in his evidence summarised the various objections which had been made to the measures then before Parliament under seven heads; and, perhaps, if it is convenient to the Committee to take those heads, I may make some general observations upon them in connection with the present Bill. The first of these objections was the expense and difficulty of establishing the requisite machinery.

266. That is the first head?—Yes; I gather from a perusal of the evidence that various schemes have been from time to time submitted as to the medium of registration. It was proposed by one measure that the registrars of births, deaths, and marriages should act as registrars; by another that registrars of county courts should do so. The proposal of the Bill to appoint a single registrar and to require registration, with central registries in the three capitals, London, Edinburgh, and Dublin, while it considerably simplifies the machinery, renders it, I think, essential that the duties of the registrar should be strictly limited. I do not think it would be possible

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possible—and in this I express the opinion of the officers of the Board of Trade—for any Departmental officer to take any active steps to secure the registration of all the firms affected throughout the United Kingdom. Assuming, however, that no such duties are contemplated, but that the registrar is simply required to act as a ministerial officer to receive written statements, to allow inspection, and to send extracts to various localities—sheriffs' courts and county courts—for the purpose of facilitating local inspection, I see no insuperable difficulty in carrying out those provisions of the Bill.

267. Is any recommendation suggested by your Board or by yourself with reference to any mode of taking active steps to secure registration? Have you any suggestion to offer as to what should be done?—I am not authorised to make any suggestion, but the matter has passed through my mind, and I see myself no way of taking steps to enforce the measure except through some local machinery such as the revenue officers. I think it might be possible for the revenue officers, *e.g.*, the Surveyor of Taxes, to ascertain particulars of the constitution of the firms; and it might be possible to ascertain whether they were registered. I do not think it is possible for any central department to do so.

268. What is your next head?—The next head is the difficulty of ascertaining what it is that is to be registered. Lord Farrer's objection under this head arose from the difficulty of accurately defining a partnership, and consequently of determining what associations were to be registered, more especially whether temporary partnerships and joint adventures were to be included. I think this objection has been partly removed by the passing of the Partnership Act of 1890, Sections 1 and 4 of which define both partnership and firms; and that it is sufficient for practical purposes to rely upon these definitions which, as I understand it, the Bill practically does. But with regard to temporary partnerships and joint adventures, I think the effect of the Bill would probably be that such operations would not be carried on under "a trade name," but under the real names of the persons interested, and if so of course they would not require registration. But if further protection is thought desirable I would submit to the Committee for their consideration a clause which has been inserted in a Bill passed last year by the legislature of South Australia, where apparently this difficulty was felt. The Act of South Australia, with one or two small exceptions, follows the exact wording of the present Bill. But clause 7 has been introduced to the following effect:—"Persons who do not publicly notify or advertise themselves as carrying on any specified business at any specified place of business in South Australia, and who merely contract to perform specified work for, or supply specified materials to, any particular person within any period not exceeding 12 months from the time of so contracting, shall be exempt from registration under this Act." I do not think that clause is free from criticism, and I am not quite sure whether it means two classes of persons are to be exempt

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from registration, namely, those "who do not publicly notify or advertise themselves as carrying on any specified business at any specified place in South Australia," and another class of persons "who merely contract to perform specified works," or whether it is intended to combine those two qualifications as a condition of exemption. But I submit the matter for the consideration of the Committee, as I believe it is felt that to extend the operation of this Bill to all temporary partnerships would render it practically unworkable.

269. I think you were disposed to point out some difficulty arising from the words used in subsection 4 of the Bill?—I think that considerable difficulty also arises from the words used in that subclause and which exempt from registration firms consisting of the full or usual names of all the partners. I was going to refer to this in detail in going through the clauses if the Committee desire me to go through them in the draft Bill. I now pass to the third objection, namely, the difficulty of knowing how to induce or compel registration so that it should be accurate and complete. As to money penalties, Lord Farrer pointed out that a penalty which might not be too heavy for a large partnership would be absolutely ruinous to small village traders, and that it was not wise policy to impose maximum penalties which it was not meant to enforce. Probably the answer to this objection is that if the money penalty is on other grounds desirable it is absolutely essential that its equitable enforcement should be left to the discretion of the Courts of Law; and that experience shows that they can be trusted to exercise such discretion without harshness or injustice. I think a more serious objection to these penalties lies in the fact that it is proposed to render the parties liable to vexatious proceedings without previous notice. Large numbers of persons in every town and village throughout the United Kingdom will be affected by the Bill, and a very large proportion of them will probably have no knowledge of its existence until they are sued for penalties. The provision, therefore, I am afraid, will be either a dead letter or it will give rise to much inconvenience and resentment.

270. Does it occur to you upon that that if the commencement of the operation of the Bill were postponed it would get rid of that difficulty enabling the people to hear of the Bill?—I think not. This is a Bill in which small traders throughout the country take, I should think, very little interest, and have very little knowledge, and I was going to suggest that if the Bill was passed and if any steps were taken to create a local machinery which should endeavour to enforce the provisions of the law, it might be provided that their operation should be in the nature of a serving of a notice upon persons, requiring them to register before enforcing penalties, because the difficulty that one feels with regard to a measure of this sort is, how are you going to enforce them? A public department cannot possibly enforce them, and if it is left to the common informer—and I think the Legislature has shown itself rather adverse to that method of recovering penalties—it would operate

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operate very harshly in a large number of cases. But if the revenue officers or the police, or any other local body, should be employed to enforce the Act, and if the procedure were the serving of a notice upon persons—for instance, they might call upon a firm and ask them to exhibit a certificate of registration; if they failed to do so, they might serve a notice requiring them to register within a certain number of days. If that is done I can see no harshness in enforcing penalties.

271. Now, will you deal with the disqualification of unregistered firms?—Lord Farrer objected to that on the ground, first, that persons who wished to avoid registration would delay registering until they were about to take proceedings in a law court, and he thought that would largely defeat the object of the matter. And if the analogy of the Stamp Act were followed and a penalty imposed upon late registration, it would “lead to great fraud and put iniquitous defences into the mouths of the defendants.” I confess I do not altogether share that view. My impression is that the great majority of traders would find it to their advantage to register; because if they did not, and persisted in evading it, it would inevitably lead to suspicion in the minds of persons dealing with them, and so occasion loss of credit. What I think is to be feared is not so much that people will try to evade the law as that they will remain ignorant of it and indifferent to its provisions. If it became generally known that a firm could not sue for debts unless it was registered, and that non-registration was likely to affect its credit, I think that knowledge would probably act as a sufficient stimulus to a general compliance with the Act. And I think it is the feeling of the Board of Trade that it would perhaps be better to trust to remedies of that class rather than to the absolute enforcement of money penalties—at all events money penalties without previous notice. Then the fourth objection is the injustice which might arise to persons whose names might be falsely placed on the register by the annoyance of having to take proceedings for their removal, because it would be to the interest of a fraudulent trader to put a solvent name on the register.

272. There is no provision in the Bill for the removal of a name falsely signed?—No, there is not. But as I understand the Bill I do not think any serious difficulty would arise under this head; because it requires the statement which is to form the basis of registration to be signed by all the partners, and if that is so, except in the case of forgery—for which the only remedy is the criminal law—I do not think that it would be possible for any person to have his name placed upon the register of partners without his consent.

273. Suppose there is a *bona fide* dispute between persons as to whether they were or were not in partnership—one alleging a partnership and the other denying it—would you have any suggestions to make as to the course to be adopted with reference to that registration?—So far as regarded those who signed the statement—I would submit—although I am not a lawyer—that they would come under the provisions of the

Chairman—continued.

Partnership Act, and they would hold themselves out as partners, and therefore be liable as partners.

274. But supposing their partnership was alleged in some way to have become terminated or dissolved?—The question of the dissolution of partnership certainly raises a very serious difficulty.

275. Would you suggest, then, that there should be some means of rectifying the register, and that opportunity be given to the partners, one to say “I am no longer a member,” and the other to register those whom he believes to be the existing members?—A very serious question indeed arises upon that point. Clause 9 of the Bill bears upon the question, because it imposes an obligation upon the reconstituted firm—the new firm—to remove from the register or to cancel the previous registration and to register anew. But I doubt if that is altogether sufficient. Because supposing they failed to do so; supposing they fail to remove the names of the old partners: supposing the old registration remains on the register and people give credit on the faith of that registration, that gives rise to another difficulty to which I was coming, but which I may as well deal with now. It seems to me that that is one of the most serious questions raised by the Bill; and I do not see myself how it can be dealt with except by some modification of the law of partnership—such as declaring that a partnership should not terminate until the name is removed from the register. I may remind the Committee that under section 36 of the Partnership Act of 1890, the partnership is terminated by notice in the “London Gazette”; and death and bankruptcy also terminate partnership. But if a partnership is to be terminated by notice in the “London Gazette,” notwithstanding the names remaining on this register, then I think the public will be seriously misled, and that very great injustice will happen. Therefore I suggest for consideration whether, if this Bill is to pass in this form, it would not be desirable to modify that clause in the Partnership Act by requiring removal from this public register of partners as a condition for relieving the partner from liability—substitute removal from the register, in fact, for notice in the “London Gazette,” in such cases.

276. And then it would be to the interest of the outgoing partner to make clear that he was no longer bound to be registered?—Absolutely. Whether that should extend to the cases of death and bankruptcy I do not know. Perhaps it might be rather serious on the representatives of a deceased partner if they were to be held liable simply for the omission to remove the name from the register. But I certainly think it ought to be made imperative upon a retiring partner to remove his name from the register before his retirement takes place.

277. What is the fifth objection?—The fifth objection is that creditors might be deceived by relying upon an inaccurate register. This is met by the same consideration. I assume that any person holding himself out as a partner by signing this document required by the Bill would be liable as a partner. Perhaps that might be made clearer

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clearer in the Bill. It is just possible that the name of a person might be inserted in the statement as carrying on a business who was not really a partner—who did not come within the definition of a partner under the Bankruptcy Act.

Mr. Vicary Gibbs.

278. You say that it is possible that a man's name might be inserted?—Yes, a man might sign a statement under the impression that he was a partner, although he was not really liable.

279. Although he was wrong in law as to the fact?—Yes.

Chairman.

280. I think you have another objection under that head?—Yes. There is no guarantee given that the information shall be accurate and complete.

281. I beg to call your attention with reference to that, to the 13th Clause, "As to any person knowingly making a false return."—Yes, I observe that as to a return known to be false. But I do not think it is possible, by any provision in an Act of Parliament, to secure complete information as to the members of a firm. It is not clear whether the Bill intends to penalise an inaccurate or incomplete compliance, but I see great difficulty in doing so, because in many cases persons are found by the Courts to be partners in consequence of their acts, who had no knowledge that they were in that position, and had no intention of assuming the liabilities of partnership.

282. What is termed constructive partnership?—Yes. But I do not see that any serious hardship would be entailed on creditors by the mere omission of names. If a person whose name has not been registered as a partner is ultimately found to be a partner, and to be liable for the debts of the firm, that is an additional security for the payment of its debts; but the omission of that name from the firm would not lead anyone to give credit to the firm on the faith of his being a partner. I think the clause might possibly affect to some extent the law of partnership, or at least its application, because after all the question of partnership is a question of fact to be determined by a jury; and if you attempted to make a man responsible for holding himself out as a partner, it would probably very seriously affect the minds of the jury in coming to a conclusion as to whether he held himself to be a partner or not that his name was not on the register. It might be possible to save the law of partnership in that respect, by an express provision. Another danger, and I think a real one, arises under this head; that I think I have already mentioned. Under Section 36 of the Partnership Act notice of a partner's retirement in the "London Gazette" is sufficient notice to all persons who have not previously given credit to the firm. But, unless the Committee desire it, I do not think that I need again refer in detail to that objection.

283. Then, what is the sixth point?—Lord Farrer expressed a doubt whether, if all these difficulties could be overcome, the measure that is proposed would really meet the views of the persons who asked for it. I think that objection was founded on the fact that up to 1872 all proposals

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Chairman—continued.

for the registration of partners were associated with other proposals for the limitation of private partnerships; and from the language of many of the supporters of the earlier measures it appeared that this was the main object which they had in view. In fact, I think the original draftsman of the measure, if I recollect rightly Sir Frederick Pollock, made a statement to the effect that the main object of the Bill originally was the limitation of partnership, and that the registration of firms would practically be of no value without that limitation. But I think it is not necessary to discuss the objection now, because these questions have been entirely dissociated, and the Bill does not deal with any question of liability, and does not ask for any information with regard to the resources of trading firms. On the other hand, I think that there can be no doubt that many of the evils at present complained of would be removed if the public had the means of knowing with whom they were actually transacting business in dealing with such firms as are affected by the Bill. In addition to the evils which have been publicly noticed in connection with the present system I should like to mention to the Committee one fact which has come specially under my own notice in connection with the administration of bankruptcy, and that is the very great difficulty which frequently arises in dealing with firms against whom a receiving order has been made, but against whom adjudication and the penalties of the Bankruptcy Court cannot be enforced because it is impossible to ascertain the names of the partners. I have here notes of five cases of that class which have given a very great deal of trouble and inconvenience and caused a great deal of expenditure, and which have resulted practically in defeating the ends of justice. I do not know if the Committee desire any details on that point.

284. Not very minute details; but for the purpose of illustration perhaps you will tell us very briefly?—I will select one case—a case in Newcastle. The firm was called the Melrose Specialities Company and I may say that nearly all these cases are cases of "companies."

Mr. Vicary Gibbs.

285. Impersonal names?—Yes.

Mr. Monk.

286. Not limited liability?—No. They were private partnerships under the names of "companies." The Official Receiver in that case reported to us—"From the statement of the solicitor to the petitioning creditor it would appear that some time since three persons whom it is sought to make, with others at present only vaguely known, partners in the above business, addressed a letter to the petitioning creditor, the National Provincial Bank, concerning the banking account which it was proposed to open. I attach copy of this letter. The various signatures of the letter now say that there has been a dissolution of partnership, they admit that no notice of such dissolution was gazetted or advertised in any manner, or even privately notified to the bank or any creditor. They admit also that they are liable by estoppel to the bank for

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[Continued.]

Mr. Monk—continued.

the overdraft, but they say that as a fact they are no longer partners in the firm and that in fact there are no partners in the firm, and that, further, no such firm or business exists. The assets of the business were seized some time since under a writ of *fi. fa.* (which is also alleged by the petitioning creditors to be fraudulently collusive), and everything was sold, including a certain patent right (which constituted the bulk of the firm's business), to one Thomson, who is now carrying on business at the old premises of the firm. The three persons who signed the letter to the bank are stated to be perfectly well-to-do, able to pay in full, not only the bank but also all the creditors of the Melrose Specialities (the amount of the debts is large), and if the individual persons could be caught as partners and their separate estates brought into bankruptcy, everything would be well with the creditors. The three persons all appeared on the hearing of the petitions and stated that their avowed object in disclaiming connection with the firm was to prevent the bankruptcy law catching them and the separate individual estates, on the ground, as they allege, that if they are not partners in the Melrose Specialities at the date of the receiving order, they cannot individually be made bankrupts." Ultimately a compromise of the claim was accepted under the advice of counsel, but the partners escaped all the penalties of the bankruptcy law, and escaped amongst others that of public examination.

287. That is a reason in favour of this Bill?—Entirely.

Mr. Vicary Gibbs.

288. And did the other cases proceed on the same lines?—More or less on the same lines.

289. With a compromise?—In two cases it was found impossible to do anything at all—absolutely impossible to prove a partnership; and in one case the Official Receiver expressed surprise, which I do not think people in business would feel, that an amount of 355*l.* had been incurred to one creditor without any knowledge by him of who the partners were.

Sir John Stirling-Maxwell.

290. How long had the partnership existed?—The Melrose Specialities Company had been in existence for some time—if I remember right two or three years.

291. What is your seventh objection?—The last objection was based upon the annoyance, expense, and difficulties which the system might cause to small traders. I think this objection is to some extent met by the fact that the Bill only applies to persons carrying on business under a trade name other than their usual names. No doubt in any case it would entail a certain amount of trouble, and, if money penalties are enforced without notice, a serious amount of hardship upon large numbers of persons throughout the country. But after all the trouble in any individual case of filling up such returns required by the Bill and forwarding them to the registrar with a remittance of five shillings, if the duty to do so is properly brought to the notice of the persons concerned, is not

Sir John Stirling-Maxwell—continued.

in my opinion, so great as to outweigh the wishes of the mercantile community or the benefits which are supposed to be likely to arise from the enforcement of this measure. These are all the points of objections, and I am prepared, if the Committee desire it, to go through the clauses of the Bill and point out in detail.

292. I will ask you, first of all, whether you have directed your mind to consider two points which arise practically on the principle of the Bill? One is as to whether the original registration should be central or whether it should be provincial; and the second is with reference to the cost incurred?—My impression is that the provision of the Bill is a wise one as to central registration, with facilities for distributing the information to local centres. I think in that way you will have a complete registration, and that otherwise it would be very difficult to get a complete register if all the registrations were to originate in the country, and then to be centralised somewhere else.

293. Do you think that the Bill would work conveniently if small firms in distant country places had to communicate with London by post instead of going to the county court offices of their own towns?—I think so if a notice is served on them as I have suggested. The Surveyor of Taxes at present has to deal with every firm in the country, and certain forms are issued requiring certain specific information with reference to the income-tax. Now, if that return included a statement of all the partners composing the firm, and if the notice was then given by those local surveyors to firms which had to register, pointing out the requirements of the law, and intimating that penalties would be enforced if they did not register, I see no difficulty.

294. You see under the Bill it is supposed that every person entering into business in combination with somebody else must register within say, a month?—I do.

295. So that there would be no knowledge on the part of the Inland Revenue officers of the existence of such a firm until it was disclosed by the rate paper of the firm?—Perfectly true. I doubt very much whether this Act would under any circumstances be complied with within a month.

296. Or two months?—I think it will take a long time before it penetrates into every part of the country.

297. The inclination of your opinion is in favour of central registration?—Yes.

298. And then of dissemination into the localities?—I think so.

299. Have you applied your mind to considering what would be the expense? Have you considered how many firms or persons would come under the operation of this Bill?—It is quite impossible to estimate it. I have seen various estimates from 40,000 to 100,000.

300. We had 268,000 mentioned last time at this Committee. Have you had any figure given you by any responsible person?—No; I cannot say that it has been so. It has not been based upon any reliable information.

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Mr. SMITH.

[Continued.]

Chairman.

301. Have you any official information?—None, officially. We have no means of information.

302. Have you means, through the Board of Trade, of giving any idea how many persons or firms would have to be registered?—None whatever. We have no means of information.

303. Can you give any idea as to what the expense of doing it would be either to the persons who are to be registered, or the persons availing themselves of registration by inspection, or getting certified documents, or otherwise?—I could not give you details upon that point. I think the Registrar of Joint Stock Companies would be in a better position to do so. But I have advised the Board of Trade that the provision in the Bill as regards the fees would, so far as I can judge, be quite ample to cover any expenses of that kind which might be incurred, providing that the registration is limited merely to Ministerial acts.

304. May I ask you what you had estimated would be the number of persons who would be paying the fees?—I take as a rough estimate 160,000 persons, at five shillings per statement. I think that would be sufficient to cover the expense.

305. Then, would you throw the burden of that payment upon each firm or person who registered, or would you make that a charge which the public have got to pay?—Usually there is a double fee, and I think it better that there should be—a double fee which should be distributed between the firms registering and the persons inspecting. To afford facilities for inspection involves a good deal of labour as well as the registration itself. They are separate acts, and I think the fees might fairly be distributed between them.

306. Has the Board of Trade at all considered what the amount of fees would have to be which would be charged?—I am unable to answer that question. So far as the Bill stands I think they are satisfied that the provision would be sufficient to cover the actual expense.

307. Under Clause 19 the fees paid to the Registrar under this Act shall not exceed the sum of 5s. That would not represent, would it, anything like all the expenses, because that is the fee that the Registrar is to get for the registration? There would be also other fees, would there not, such as fees on applying for forms or purchasing forms, transmitting them, swearing or being sworn by a solicitor, or notary, or other person?—Yes.

308. And then a fee for registering?—Yes, I believe the Treasury are of opinion that the Bill should provide that the fees should be applied as the Treasury should direct, that is to say, that they should go into the general exchequer, and that out of those fees the Government would pay the necessary expenses.

309. And if there is a deficiency?—I think it is sufficient.

310. But if there is a deficiency, who is to bear that?—If there is a deficiency, then if necessary it would come out of the national exchequer. That is the plan adopted under the Bankruptcy Act, and I think in most Acts of this class.

Mr. Vicary Gibbs.

311. You mean the Board of Trade would take the contract at 5s. to run this Bill?—Quite so.

Chairman.

312. That only deals with a portion of it. The other expenses, such as half-a-crown for swearing before a solicitor under Section 6, and the postage and expenses and time occupied in the inquiry?—There is one reservation I should like to make upon the question of fees, but I meant to deal with it as I went through the Bill. Under Section 18 the Registrar is required to transmit an extract of every place of business, as I understand it, every place where the business is carried on.

313. That again would involve perhaps a question of many shillings in different places?—It would involve a very large expenditure which 5s. would not cover. I think there would require to be a small fee for every extract transmitted to the country. It might be a shilling for every extract transmitted.

314. I want to put to you whether you think, in distributing the cost, the greater part should be borne by those who would inspect the register and get the advantage of the registration, or by the person who is registered?—I think that expense is generally settled by what I may call a conventional arrangement as to fees. There is a fixed recognised fee of 1s. charged for inspection under the Companies Act and under the Bankruptcy Act.

315. What is it for a certified copy of an entry?—I think it is 2s. 6d., and the fee upon registration is, of course, a totally different fee and generally has relation to the capital.

316. That is a different object altogether?—Yes. I do not think a fee of 5s. could be objected to by a firm which had to register, and I think that would be sufficient.

317. Do you think the very small traders who might fall under the operation of the Bill would submit even to pay 5s. cheerfully for what they can see no good?—I do not know; I am afraid not.

318. Have you considered whether the operation of this could be in any way modified or altered so as to make it popular or not unpopular with the small people who may be affected?—I have not thought of it. But the principle adopted in bankruptcy might be applied here. We have a modification for what are called small cases—that is cases of a small denomination—where the liabilities do not exceed 300l.

319. But there you see the work is done in the country and not centrally?—Yes; but there is a modification upon small firms. I do not know, however, that you could apply that here.

320. Will you now take the Bill, and perhaps you will kindly call attention to any section that requires special notice?—I have made notes on a number of points. I hope the Committee will excuse me if I have gone a little minutely into details and perhaps raised points which, although on the surface they may present objections, may be capable of satisfactory explanation. On Clause 4 the obligation is put upon a firm to register (this is a verbal criticism really), whereas under Section 11 the penalty is imposed upon persons required

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Chairman—continued.

required to send or deliver a statement. Clause 4, line 29, says, "Every firm carrying on business" shall register. I suggest whether the words should not run, "Every person who is a member of a firm," or "every person," because the only obligation is upon firms, whereas in Clause 6 it is "the persons carrying on business" who are required to send in a statement; and in Clause 11 the persons who are required to send or deliver statements who are liable to penalties. I do not know whether, if penalties are incurred under this Act, you would sue a firm for a single penalty, or whether you would sue every member of the firm. In Clause 4 the words are, "Every firm carrying on business, or having any place," &c. The obligation to register applies only to firms carrying on business, whereas Clause 7 requires registration to be made before they commence business. Now a firm cannot carry on business before it commences it. I shall refer to this again when I come to Clause 7. I mention it now in passing. Then in Clause 4, an exception to registration is allowed in the case of firms carrying on under a trade name which does not consist of the full or the usual names of all the partners. I do not know exactly what is meant by "usual names." Under the definition Clause 3, it says, "usual name shall include a signature habitually used for business purposes." I think that word "habitually" is open to criticism, because I do not know that anyone "habitually" signs his name—that is to say invariably, signs his name in a particular way; but I take it that the meaning of the clause is that the usual name is to be the name generally used in signing, whether for business purposes or otherwise, and if so that would necessarily include Christian names or initials. That was the point I wanted to raise. Now, if it is meant that only those trade names which consist of the Christian names and surnames of all partners are to be used, the exemptions will be extremely few, and in that case it would be much simpler to require all partnerships to be registered; but I suggest it would be sufficient to require trade names to be registered which do not include the usual names or surnames of all the partners. For instance, if Mr. Jones and Mr. Robinson carry on business under the name of Jones and Robinson, I would suggest that registration is unnecessary. You have both persons disclosed there, and that leads to a very large number of exceptions. That would relieve the community very largely; and I think it would tend to do away to a large extent with those trade names. People would register in their own names. But if you are going to require them to sign "James Robinson" and "John Jones" as a condition of exemption, I know very few firms which give the full names in that way.

Sir John Stirling-Maxwell.

321-2. It makes a good deal of difference which Jones it is on the question of giving credit?—Yes, it would; but under the definition clause you will find, "'usual name' includes a signature habitually used." A man signs with an initial "J. Jones," and that is sufficient for exemption, although the information is still incomplete; it may be James Jones or John Jones. You cannot

Sir John Stirling-Maxwell—continued.

make it complete unless you make it the full Christian name, in which case there would be no exceptions at all. I do not think myself any practical inconvenience would arise if you adopted surnames.

Chairman.

323. Have you anything to say with reference to "acting partners"?—"Acting partners" is quite inconsistent with the object of the Bill as I understand it. The words "acting partners" on line 2 coupled with the words of Clause 5, "the full name of the persons carrying on the business," suggest that this Bill is not intended to apply to dormant or sleeping partners. I do not think that is the real meaning of the Bill; but that is the apparent effect of it. I do not see what object is gained by registering partners at all if you do not register dormant or sleeping partners.

324. Then you would say the word "acting" should come out?—Yes. If the names of all the acting partners are included in the firm they are exempted from registration, but that is not sufficient.

Mr. Vicary Gibbs.

325. It is generally the dormant partner who has got the money?—Yes. I suggest the words "acting partners," on line 2, page 2, should come out.

Chairman.

326. You would say all the partners?—I would say on the first line "the usual names or surnames of all the partners." I am suggesting for the consideration of the Committee whether it would not be sufficient to say, "surname or surnames of all the partners."

327. And omit the words "or all the acting partners"?—Yes. "Without any addition," is right.

Mr. Vicary Gibbs.

328. Does that exclude a company?—Yes.

329. So that you would exclude the word "Co."?—Yes. A firm with the "and Co." would be required to register.

Chairman.

330. May I call your attention to this, that in Clause 5, which deals rather with some of the other points you have raised, the registration is only intended to apply apparently to those cases where there is a place of business, and does not intend to apply to partners in respect of one matter or two, or a few matters, or to temporary partnership where there is no place of business?—That is so, and I think that the Act of South Australia to which I called attention makes an express exemption in those cases.

331. Reading Clause 5, does it not seem to you it answers some of your early objections—that temporary partners or ephemeral partnerships might be inconvenienced by such a Bill?—Hardly. I think that the words "place of business" raise another very serious objection, which I shall notice presently. In the meantime I want to call attention to the words on line 12, "is intended to be situated," and on line 19 the same phrase occurs, "the full name, usual residence, and other occupation (if any) of the person or persons carrying on or intending to carry on the business." I suppose those words

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Chairman—continued.

are intended to harmonise with the provisions of Clause 7, which requires registration to take place before the firm or person commence business. But of what value will a register of mere intentions be?

332. Because the inspection by register would be probably required after the business was in operation and when the person carrying on the business wanted to get credit?—Yes. But you may register your intention to commence business, and thereby comply with the Act fulfilling this condition; but never carry out that intention.

333. But then you would fall under the operation, not of one of these penal clauses, but under the one of not registering?—I think not. You may honestly intend to carry on a business but not carry it on, and the name of the firm remains on the register, although it may be that the wealthiest partner has withdrawn at the last moment, and people give credit upon the original registration of the intention to trade in those names.

334. Then how would you place that?—I should omit altogether the intention—either the intention with regard to the situation of the office or the intention to commence business. But then that would involve a modification of Clause 7.

Mr. Emmott.

335. What is the actual difference, in your opinion, between a firm who intends to commence business and who are asking for and receiving credit, and from which, say, the moneyed partner does retire in the meantime before they actually commence—what is the difference between them especially in the case of a firm continuing business? Why should not this firm, which has already registered its intention to commence business, also register the change in the partnership which takes place when the man retires?—There is no partnership constituted under the word “intention,” and it has been decided under the Partnership Act that an agreement to form a partnership does not actually constitute a partnership. You must always prove the fact of partnership.

Chairman.

336. Then you would require registration where a business is actually commenced and not deal with anything anterior to the commencement?—That is so.

337. And you would take it that the registration of the firm's name is to be the public avowal or public declaration, and the commencement of the business?—Quite so.

338. You said there was something important going to arise on the words “the place of business” in line 11?—Yes; in Sub-section C it is, “the place or places of the business,” and Sub-section E, “any new place of business” is to be registered; and then Section 18 “requires a section to be submitted to the officials in every district where any of the places of business are situated”—appearing to enact that every place of business must be registered. I think this is open to some objection. In the first place, what is meant by “a place of business”? It would apply to every warehouse, vault, cellar, yards of coal merchants at every railway station, and so

Chairman—continued.

on. It is not limited. It is not restricted even to premises, to buildings, to enclosures. Businesses are carried on in all sorts of places by travellers, surveyors, auctioneers, who carry on their business outside. A shipowner carries on business all over the world. And even if the requirement was limited to actual premises specially set apart for the business, it would in many cases entail a vast amount of unnecessary trouble. Such a case occurs to me as that of Sir Thomas Lipton before his business was turned into a limited company. In that case I think there were about 150 different towns in the United Kingdom in which branches were established, and twelve in Ceylon. Besides, there were 3,000 specially appointed agencies in the United Kingdom and about 40 abroad, which I think would come under the clause. Then take the case of W. H. Smith and Sons. They carry on business at every railway station nearly in the United Kingdom. Now, if the Registrar is to be required to transmit for inspection an extract from the register to every one of those places, it would practically mean that he would have to send it to nearly every county or sheriff court in the kingdom.

339. What suggestion would you make?—“Principal place of business.” I am not sure that that may not be open to other objections, but I suggest that those are the words used in the case of companies.

340. Under modern systems of jurisprudence—for instance, in Austria—no place can be used for business purposes by a firm until that place has been registered in the locality as a place of business in which a firm will trade; and that applies not only to the head place—I do not know whether you are aware of that?—I am not aware. I think the phrase wants some limitations, at all events. I think it would be very difficult for the Registrar to know. Of course, the Registrar would send to every place where the firm returned itself as carrying on business, but it would be very difficult for the firm to know how to comply with this provision, “every place of business.”

341. But other places have to be returned now in many returns that everybody has to make, have not they? Take ordinary assessments—you have to return where your residences are, and in the income-tax return if more than one place?—The number of residences would be very limited; but the number of places where the business is carried on personally or by agents may be numerous.

342. Is there any other remark upon Clause 5?—Yes, sub-section *d*. “The full name, usual residence, and other occupation (if any) of the person or persons carrying on, or intending to carry on business.” I have already pointed out that those words appear to limit registration to persons actively engaged in conducting a business. It would not include dormant partners. But I wish also to point out that, as they stand, they would extend registration to persons carrying on business who were not partners, such as managers or agents.

343. Would that be your view on Clause 4, which provides that the firm has to be registered, but would not apply merely to a manager of that firm

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firm. They are to register under Clause 4?—The firm are to register in the manner directed by the Act.

344. "The name under which their or his business is intended to be carried on." That would not involve—at least I suggest to you your criticism might be reconsidered—a manager in registering anything?—Perhaps I am wrong, but I thought that that question might lead to considerable difficulty because the registration is to be carried out under Clause 5 certain particulars are to be furnished. You have the trade name; the general nature of the business; and the usual name of persons carrying it on. I think the Court might hold that that included manager. I think the difficulty probably arises in the drafting from the attempt to combine provisions in the same clause dealing with firms and dealing with those persons or individuals who are carrying on business under a special trade name. I think the draughtsman has been trying to find language which would cover both cases at once; whereas it would be very much simpler to deal with them separately, and then to say, "the full name, usual residence, and other occupation of all the partners."

Mr. Monk.

345. "Person or persons constituting the firm"?—Yes, "constituting the firm," or "all the partners."

Chairman.

346. Are there any other observations?—No other on Clause 5.

347. We will now take Clause 6?—Clause 6 I would suggest should commence "every person." But again you have the difficulty of "carrying on business." I think it should be "every person who is a member of the firm."

348. Then that would not deal with the persons under sub-section B of Clause 4, would it?—No, it could not include sub-section B. They would have to be separately provided for.

349. It is a matter for re-drafting?—I think that would simplify the consideration of the Bill.

350. You suggest two clauses—one to deal with sub-clause (a) of Clause 4, and another dealing with sub-clause (b) of Clause 4?—Yes. Then I think that clause should be completed. The persons are required to sign statements; and the statement under Clause 5 is required to have certain particulars; and under Clause 11 there is a penalty for every person required by this Act to send or deliver the statements; but there is no obligation on anybody to send or deliver it to the registrar. I should suggest that Clause 6 should be completed by stating that every such person shall forward to the registrar.

Mr. Emmott.

351. Registration shall be effected by sending by post and delivery?—That is so.

352. Does not that involve sending or delivery?—Yes; but it does not say who is to send.

Chairman.

353. Clause 4 does. It provides that the firm shall register in the manner directed by this Act.

Chairman—continued.

—I suppose the liability then would be upon the firm.

354. Then Clause 5 says it shall be effected by sending; and one would have assumed that that meant that they are to send to the registrar?—The firm is to register. Then Clause 11 imposes a penalty upon any person required to send or deliver. The phraseology is not identical. It is merely a question of drafting. Then I come to Clause 7. I have already pointed out that this clause is inconsistent with Clause 4. But in addition to this it is open to serious objection on the ground that failure to register before commencing a business would prevent registration at any future time. They shall register before they commence business.

Mr. Vicary Gibbs.

355. There is no machinery for allowing them to put themselves in order you mean?—No.

Chairman.

356. Or to rectify the register at all under any circumstances?—No.

357. Then you would say that the firm required to be registered as aforesaid may from time to time register?—I think so, and then there shall be a penalty if they do not register within a certain time.

358. Would you delete "before they can commence business" and say "shall register"?—Shall register. I should not say before they commence business. But then the penalty clause would require to be modified, because it should then be "If they do not register within a certain period after commencing business."

Mr. Vicary Gibbs.

359. That would all fall in with your attack upon "or intending to"?—Yes.

Sir Seymour King.

360. You certainly would not leave one month after the date of the Act?—No. I should not leave one month.

Chairman.

361. Have you a suggestion to make as to period?—I have not considered that point.

362. Has it occurred to you whether it would not be desirable in a case like this to give some longer period than the 1st of January, 1901, which is fixed by Clause 2 before the Act comes into operation?—I do not think so. I think after a Bill is passed by Parliament the sooner it comes into operation the better. In the meantime I do not think that people will get any better informed with regard to its existence, unless some special steps are taken. I was going to suggest if the Bill passes, special steps should be taken for notifying it to the community at large—such steps as the Surveyors of Taxes are in the habit of taking when they notify the public in remote villages in the country as to licences or taxes of various kinds. A notification of that sort may be given. Then it might be provided under the penalty clause that if a person failed to send or deliver the statement within a certain period—say, three months after the passing of the Act, or in case of firms commencing business after the Act has come into operation.

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operation, within one month or three months, or whatever it is, of commencing business.

Mr. Monk.

363. Is not the notification provided for under Clause 19, "The Board of Trade may make rules," and the Board of Trade of course would notify those rules throughout the country?—I should doubt if the Board of Trade would recognise any obligation to notify this Bill throughout the country unless there is an express provision.

Chairman.

364. May I ask you, before you pass from this suggestion you have made, whether you have taken the opinion of the Inland Revenue authorities as to their capacity to, or willingness to, undertake this work?—I have not. I only considered the question on Friday afternoon.

365. The Board of Trade would not like to do it; but you cannot say whether the others would?—I should not like to express an opinion upon that.

366. You do not know whether their staff is large enough?—It occurred to me that the Surveyor of Taxes would be able to do it if the Inland Revenue authorities thought it was desirable to employ them in that way. But it is a suggestion upon which they would require to be consulted, and I should perhaps apologise for making it without consulting them. But I have had no time to consider that.

367. Now, Clause 8?—Clause 8 begins, "The name of any firm or person"—I presume the "trade name" is meant. Trade name is to be used if it is to be used at all. But I do not see how the clause can be enforced. There is no remedy for non-compliance. Moreover, taking the words literally, the name of every person carrying on business, in partnership or not, would require to be used in all cases, because every such person may be said to be registered under Clause 5.

368. Some instances of difficulty have been suggested to us in the papers we have had from law societies as to the inconvenience of seeing all the entries. What do you say about that?—I think it would be very inconvenient. I do not see that this clause is germane to the scope of the Bill at all, and I think it would be impossible to enforce. As the Bill stands it cannot be enforced, because there is no penalty for not doing it—no consequence.

369. Have you anything to say upon Clause 9?—I have nothing to say on Clause 9 except this, that that appears to have been drafted at a different time or by a different hand from the rest of the Bill; "where a change occurs in the constitution of a registered company the members of the firm as reconstituted shall send by post, &c.," it is not the firm in this case.

370. Does it occur to you, with reference to that clause, that it does not seem to contemplate the possibility of a person who has retired from a firm?—No, it does not.

371. And does that seem to you to be open to objection?—I think it is most serious.

372. You think that the person who has retired and who has a strong motive to be deleted from the register ought to have the right

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Chairman—continued.

to send, and the registrar to be obliged to receive his statement that he is out of it?—Certainly.

373. In that event, supposing there was a dispute as to whether he was out of it or not, or suppose he rather cautiously and with scant honesty desired to represent himself as out of it, and sent up a statement to the registrar that he was out of it, do you suggest some way of dealing with that?—There should be a clause to the effect that the law of partnership shall not be affected by this Bill, except expressly provided, because no doubt a man might try and avoid liabilities in that way by withdrawing from a firm; but I apprehend if he did that he ought still to remain liable for the debts of the firm if it could be proved he was acting as a partner.

374. But would you give him a right to put on the register an allegation that he asserted, at all events, that he was no longer a partner?—Yes, and that would relieve him from liability if, as a matter of fact, he had ceased to comply with the conditions of partnership, but not otherwise.

375. Then he would make himself also subject to a registration fee in respect of this notification that he was no longer to be accounted a member?—Yes, I think so. The more you can spread the fees the smaller they would be.

Sir Seymour King.

376. And you would not consider one month adequate time for registering this change? Assuming one of the partners interested was situated in New Zealand at the time, and all partners had to send notices of registration, he could not possibly do it?—No.

Chairman.

377. Would you give any discretion to the registrar in the matter of registering, or is he to be merely a machine, because in the case which is suggested by Sir Seymour King, a partner being away, would you give power to the registrar to extend the time, or should that be done by rules or by statute?—I have not considered that point. In most Acts of Parliament of this kind there is power given to the Court. The Court is generally brought in in some way or another. The Court is not mentioned in this Bill, but I see no objection to giving the Court power to extend the time.

378. You will remember that by Clause 19 it is suggested the Board of Trade should have power to make rules concerning any of the following matters; and sub-clause D says generally the conduct and regulation of registration under the Act. Would you suggest that power should be reserved to the Board of Trade to make rules which their officials may relax to meet the requirements and operation of the Act, such as extension of time?—No doubt the power could be given to the Board of Trade to extend the time, but I am not prepared to say that that would represent the views of the Board of Trade.

Sir Seymour King.

379. Besides, the Board of Trade could not overrule a statutory provision?—If Parliament imposes the obligation on the Board of Trade to exercise that jurisdiction of extending the time

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on special application I have no doubt the Board would do it. I cannot speak on behalf of the Board of Trade on this point, but I, personally, at the moment see no insuperable reason why the Board of Trade should not be entrusted with the power to extend the time in special cases on special application.

Mr. Emmott.

380. Would you agree in the ordinary way that one month is amply sufficient?—Clearly one month is insufficient to meet cases of foreign partners.

381. But in the ordinary way—excluding the case of foreign partners—do not you consider one month sufficient?—I think it is.

Chairman.

382. A question of lunacy might raise a special difficulty, might it not?—Yes.

383. Have you completed your observations upon Clause 9?—Yes.

384. Have you any observations to make on the other clauses?—There is no provision for cancelling existing registration where a firm or person wishes to cease carrying on business. That, I think, you asked me upon.

385. I did, but not in that form?—This may occur on Clause 10. There is no provision for cancelling existing registration where a firm or person ceases to carry on business under a registered trade name.

386. And it would not be to their interest to cancel?—It might not.

387. There is no power given to the registrar to purge?—That is so.

388. The registrar might have to continue a number of useless names for years on the register?—The clause is limited to firms which change their trade name. I suppose what is meant by it, and it would be better to express it if it is so, is this. It is meant to limit the clause to firms changing their trade names by the adoption of a new trade name registered under the Act, because a firm carrying on business under a trade name might change its trade name without assuming a new name which would require registration at all.

389. They might give up the name of Jones and Co. and become Jones only?—Yes, exactly.

Mr. Vicary Gibbs.

390. It would have to be registered as if a new name?—According to the drafting of this clause they would have to register it as a new firm, but that is not the intention of the Bill.

Chairman.

391. What words would you put into Clause 10?—After "trade name" on line 6, I would suggest the insertion of the words "by the adoption of a new trade name requiring registration under this Act."

Mr. Vicary Gibbs.

392. And then have a fresh clause altogether to meet the case of the death of a partner?—Quite so.

Chairman.

393. Death or cessation of partnership?—Yes. I think that is most important—a sepa-

Chairman—continued.

rate clause. An addition might be made to this clause to the effect that where a person ceases to be a partner, or where a person ceases to carry on business under a trade name, the partners shall give notice. Clause 10 should also contain a time limit.

394. For what?—For registration of the new firm.

Mr. Vicary Gibbs.

395. It says it shall be registered as if it were a new firm?—Yes, but within what time? The time should be stated and the penalties enforced if the statements required for registration are not lodged within the time so specified. Then as to Clause 5 I have a verbal suggestion. It assumes the possibility of a summary conviction before two Justices of the Peace, without expressly providing for it. I do not know whether that is necessary or not. Under Section 65 of the Companies Act, 1862, there is a model clause which might be inserted in the Bill enabling proceedings to be taken before Justices of the Peace both in England and Scotland. There is no actual clause conferring jurisdiction on Justices of the Peace in this Bill.

Chairman.

396. We could easily put "in a court of summary jurisdiction," or words to that effect?—Yes. Then Clause 12 is a disqualification from commencing an action. I would suggest that should be "action or other legal proceedings," because there are a great many legal proceedings which are not actions.

397. You are contemplating garnishee proceedings or attachments or proceedings in Chancery?—Yes, or petitions in Bankruptcy.

398. Or set off in an ordinary action or counterclaim?—Quite so. I think it should be a total disqualification until the firm complies.

399. These words, "in a cause of action arising out of any dealing by such firm," do not exclude the very common class of grievances that is brought into the courts. They assume a cause of action arising out of a dealing and imply contract. But you have actions of tort also. Take, for instance, the case of a person run over by a large van. He wants to know whom to sue, but it is not in any way an action arising out of dealing with the firm. Could you suggest some limitation of the phrase which would cover any liability of the firm, however it arose in point of law?—I do not see why the words should not be omitted altogether, leaving it "shall not commence any action or other legal proceedings."

400. It seems to me that if we pass this Bill the object we should have in view would be to enable anybody, whatever his cause of action may be, to know who he can go at. The illustration was given in the House, when Mr. Emmott moved the Bill, of the difficulty a sanitary inspector had in causing certain important work to be done, because he could not take legal proceedings, not knowing the names of the partners. Does it occur to you it would be desirable to make this apply to all things, whether they arose out of dealings or not?—Certainly. You do not, of course, suggest that it should be applied the other way—that the firm should not be proceeded against?

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Chairman—continued.

401. No, but I should make it apply to any legal proceedings?—To any legal proceedings whatever commenced by the defaulting firm. I think the wider the disqualification the better.

402. On Clause 12 have you anything further to say?—No, nothing further on Clause 12. On Clause 14 I would merely suggest, as a matter of completeness, that the paragraph should end with the words, "On receiving a statement that a registered trade name has been abandoned the Registrar to make entry cancelling the registration." That might be effected by rule; but it would be just as well to make it compulsory by the Act. On Clause 19 the 7 days prescribed by the clause is much too short a period, especially at the start. "The Registrar or other officer in charge of the register shall within 7 days after the registration of any statements under this Act," transmit to the country. The number of statements will be very large indeed.

403. Would not that be covered by our amplified Clause 19 enabling the Board of Trade to fix a time for the operations to be conducted?—Yes; it would cover it to some extent. But the Board of Trade would not like an obligation to be placed upon them to register within 7 days after the 1st January every statement, and to transmit it to the country.

404. Suppose we amplified the powers given by Clause 19 to the Board of Trade extending the time for registration from 7 days?—It is a time which is imposed upon the Registrar, not upon the public; and I think it would be undesirable to impose it upon the Registrar by statute.

Mr. Vicary Gibbs.

405. Would you omit "within 7 days"?—Yes. I think the words should be, "the Registrar should forthwith," or "as soon as may be."

Mr. Emmott.

406. Do you think there would be any difficulty about this after the first rush at the commencement?—I do not think so. It is the first rush that I am looking to.

407. I was only wondering whether it would be wise for us to leave an opening for great delay afterwards, though I quite see the point about the first rush?—I think not. I think that where firms are constituted after the commencement of the Act, they ought to be presumed to know what they are about.

408. But I am thinking of the Registrar?—I think the Registrar would probably be quite able, within seven days or within some moderate period, to do it. Seven days is certainly very short period. I should say a month, if a date must be fixed.

Mr. Vicary Gibbs.

409. You must assume a loyal carrying out by the Government officials. It means that the Board of Trade will do it as soon as possible?—I think it is undesirable to tie the Registrar as to time.

Chairman.

410. Are there any other clauses you would call attention to?—Only the fee clause. I do not know whether I mentioned that. If the clause requires statements to be sent to the County Court Registrar in every place where the business

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Chairman—continued.

is carried on, I think that a larger fee than 5s. would be required. I think there ought to be a fee for every place, however small you make that fee—6d., or whatever it is. They should transmit a copy, and if we had to transmit 3,000 copies, as in the case of Lipton's, I do not think 5s. would cover it. There ought to be a separate fee for every extract sent.

411. It has been submitted by the Treasury that all fees should be paid to them?—Yes.

412. Do you assent to that, or have you any reason for claiming them for the Board of Trade?—The suggestion, I think, is that the fees should be applied as directed by the Treasury.

413. That is a proposal by the Treasury. What have you to say upon it?—I am not authorised to express any opinion upon that point.

414. Are those all your remarks on the clauses?—Yes.

Mr. Palmer.

415. It has been suggested that the Inland Revenue Department should be made use of in this matter. Is it not the fact that in making the returns for income tax all private firms have to give to the surveyor of taxes the actual names of the partners for the time being?—I am not aware. It may be so.

416. If it is the case, then it would seem that the surveyor of taxes has already in a large number of cases the names?—Yes, I had overlooked that. If they have the information, of course they would be able, without any alteration, to take steps to enforce the provisions of the Act.

Mr. Emmott.

417. With regard to the question of small traders, I take it that you do not believe that the small traders would be a real difficulty—that is to say, you do not think that there are a great number of small traders who would require to register?—I think there are a very large number of small traders—very numerous indeed. The great majority of those who will be required to register will be small traders.

418. Do you think that many of them would have difficulty in filling up the form if it were made simple?—I think not. I think there would be no difficulty in filling up these forms.

419. I am asking because that is one of the principal difficulties with regard to the central registry—the question whether the small trader would want local assistance in order to fill up the form separately?—He at present fills up his income tax schedule.

420. Which is quite as complicated?—Much more so. I think he would have trouble probably in filling in all the places of his business.

421. What is meant by "place of business" is where the buying and selling is carried on?—Probably intended to be restricted to premises exclusively devoted to the purposes of the business.

422. I do not say whether the meaning of the words in the proposed Bill carry that or not; but every workshop or premises was certainly not intended. What was meant was where buying and selling was carried on, and the offices where the correspondence of the firm was carried

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on?

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on?—Unless that is defined or altered I think it will give a good deal of trouble to small traders.

423. Do you see any difficulty in defining that?—No. My suggestion was that you should have principal places of business only, restricting it to premises devoted exclusively to the carrying on of the business.

424. The difficulty about the principal places of business is that where a business is carried on at a great many different places there would be no Registry in the locality to which reference could be made. If only the principal places of business were registered that would only be registered in the locality for the principal places of business?—Yes. I see that.

425. You suggested that notice given to the Registry should take the place of notice in the Gazette, in the case of dissolution of partnership?—Not in all cases. I think that it should be provided that firms registered under this Bill should not be dissolved until notice has been given to remove their names from this register.

426. Then you still leave the notice in the Gazette as it now is?—I think you must do that. There are firms which will not be registered under this Bill at all.

427. I am anxious to leave it as it is. I do not wish to interfere with the notice, but simply that the dissolution should not be complete until the names are removed?—That, if my suggestion is adopted, would be so in the case of firms registered under this Bill.

428. Have you had brought under your notice the case of any firms who have called themselves "limited" without being under the Limited Liability Act?—I cannot recall any for the moment.

429. It is not a common thing you think?—No, it is not common I am sure.

430. Then turning to another point, the question of the alteration you suggested in Clause 4; do you think it will be sufficient to have the usual name or surname?—I think so in the first instance—it might require afterwards to be supplemented. But I think it would meet the great majority of cases which this Bill is intended to deal with.

431. You do not think there would be great room for evasions?—I do not think so.

432. And you state that from your large experience of the office which you hold?—From my experience yes, and as a business man generally. I think that where you had notice of the surname of every partner that a creditor is sufficiently put on his guard to make the requisite enquiries. In fact, I think he would have the information. Take a case that I mentioned such as Jones and Robinson. If there are only two partners, and one is named Jones and the other Robinson, I think that a creditor dealing with that firm would feel that he was perfectly safe. He knows who the individual partners are. He is in the habit of dealing with them—sees them.

433. You evidently do not think it would be feasible to register before commencing business?—I think not.

434. Take the case of a manufacturer who gives an order for a workshop to be built, who orders machinery, who desires to obtain, and in

Mr. Emmott—continued.

many cases does obtain, large credit. The cases arise principally in that way. Do not you think in a case like that he ought to register if we have such a Bill as this?—I should say that a partnership which had been duly constituted and which gave orders for the erection of buildings had commenced business.

435. You mean the fact of giving orders would of itself constitute the commencement of business?—Yes, I think so—entering into contracts.

436. That might obviate the difficulty—

Mr. Mendl.

437. There is one particular illustration you gave us of the advantage in bankruptcy of knowing the names of the partners, and you mentioned the case of the Melrose Specialties Company, where the names of the partners of course did not transpire?—That is so.

438. And I understand that after evidence was given by three persons the conclusion came to was that there was not sufficient proof of their being partners?—They had been partners, but they dissolved partnership.

439. Was that a judicial finding, or was it that there was not evidence before the Official Receiver sufficient to prove that they were partners so that they could be held responsible?—I think there was a judicial finding in the preliminary part of the case. There was either a judicial finding or that was the advice of counsel—I cannot say which, but we were advised, that if, as a matter of fact, they had dissolved partnership they could not be made bankrupt, although their neglecting to notify the dissolution of the firm by notice in the "London Gazette," or otherwise rendered them still liable to pay debts at the instance of individual creditors, they were not subject to penalties of the Bankruptcy law.

440. Then, supposing this Bill had passed it would not have affected their liability?—It would have had this effect, that the Melrose Company could not have traded or obtained credit without disclosing who the partners were.

441. And then, if they had not given notice to the Registrar of the change in the firm under Clause 9, they would have been liable from the date of that?—They would still have remained liable.

Mr. Vicary Gibbs.

442. You, I understand, recognise that it is essential to exclude temporary partnerships from this Bill?—I think so.

443. And I understand you to say that the mere accidental mention of the words "place of business" in Section 5 would not have the effect of taking temporary partnerships out of the Bill?—I did not consider that point. It would certainly have a considerable effect in modifying my objection—that is to say, if you mean a temporary adventure which had no recognised place of business.

444. Do you consider that there ought to be some special words which will exclude temporary partnerships and things of that kind?—I think it is very desirable, if possible, to do so.

445. Then I should like you to tell the Committee whether you have any ground for believing

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ing that there is a genuine desire among the traders of this country for a measure of this kind. I know that Chambers of Commerce and Trade Protection Societies, and Societies which make their living out of giving information about firms, desire a Bill very much; but I want to know whether you believe that among business men who are in business, whether large or small, there is a sincere desire for a measure of this kind, and whether you have any ground for thinking so?—Apart from the expressions of opinion by members of Chambers of Commerce and by members of Trade Protection Societies and Members of Parliament and Bankers, I do not know that I have any evidence. But that includes a very wide range of evidence. I find that in 1872 evidence was given by a very large body of witnesses, including some very distinguished men in the commercial world who were entirely in favour of it, a partner in the firm of Smith's, the bankers, the general manager of the London and Westminster Bank, and other men of that description who gave evidence; and I cannot imagine a better index of public opinion than that afforded by Chambers of Commerce through the United Kingdom and trade protection societies, which represent a small class of firms.

446. I confess I can. Bankers are most admirable people, but they are somewhat parasitic in their nature. That is to say, they exist for the benefit of trade and commerce mainly, and I should have been glad to know whether there had been any expression of opinion from other tradesmen, however small, or merchants, however large, in favour of a measure of this kind. Obviously, it would benefit bankers—that one can see at once?—My view of the Associated Chamber of Commerce is that it is a combination chiefly of merchants, manufacturers, and shipowners; and with regard to the trade protection societies, which represent a smaller interest, I think they are composed of some 30,000 to 50,000 members, who trade in a small way.

447. Now, with regard to the matter of concealed partnerships. The main object of this Bill is to have all partners disclosed, and I ask you whether you see any possible objection, from the point of view of the community, to a man being a partner in a firm and not disclosing the fact to the community?—I think it is very objectionable. You require registration of partnership of all companies registered under the Limited Liability Companies Acts; and the mere fact that limited liability is given by those Acts does not seem to me to affect the question. If you require to know the constitution of a limited company you require to know quite as much the constitution of an unlimited firm; and I see no reason why the community should not be entitled to know the facts of the constitution of it.

448. Do you not think that the fact that shareholders in a limited company are only liable for the amount of their shares affects the question?—I do not think so. I think if you are entitled to knowledge of the constituent members of a company who are only liable to a limited extent, you are equally entitled to know who compose the firm who are liable unlimitedly

Mr. Vicary Gibbs—continued.

—to whom you give credit if there is unlimited liability.

449. Then you consider it is against the public interest that a man should put capital into a small firm where he does not appear himself—that he should foster trade on the terms of not himself appearing as a tradesman?—I do, most emphatically. In the widest possible sense I do think it most mischievous.

450. Still you recognise it will act as a restraint on trade?—It is liable to very gross abuse. A firm obtains credit very largely by means of its apparent resources. That is recognised by the bankruptcy law, which makes a firm liable to account to the Trustee in Bankruptcy, not only for property which is in possession of the bankrupt, but for property which may belong to others if it is in his order or disposition. That indicates the fact, that the firm obtains credit upon its apparent resources, and to allow a concealed partner to supply the resources necessary for carrying on the business of a firm without disclosing the fact of his liability is, I think very dangerous.

451. Do you mean to say it is a disadvantage to people dealing with a firm that they should have an additional security of which they do not know?—Perhaps I am wrong in talking of concealed partners; but if a person lends money to a firm and enables it to carry on business with the appearance of large resources, then I think that the public are apt to be misled into giving credit to that firm. This man who is lending money may not be a partner at all. It is as necessary to ascertain who are not partners as who are.

452. Therefore, the mischief you apprehend may occur just the same after this Bill has passed as before?—I think not; because the partners' names are registered.

453. If you think it a mischief that a firm should obtain money from sources which are not disclosed that may occur just as well afterwards. Nobody can well know, if they had money, whether it had been lent or whether it was the property of one of the partners. They have that money to deal with, and to make a show before their creditors with, and that would not be affected by this Bill. Your argument goes to show that anything which discloses the names of the firm and does not disclose the capital is ineffective?—I think if the names of the partners are disclosed, then if they are carrying on business with a larger capital than that which public opinion would credit the partners to be possessed of, the public would know they would be carrying on business upon credit. They would know they were being financed by somebody.

554. Do you think they would?—I think so.

455. If the public found they were in the possession of certain capital they would be quite unable to tell how that money was obtained—whether it was their own money or whether it was somebody-else's money. They would have evidence of their being able to pay certain money at certain times; that they had a command of money; but they would have no means whatever of knowing whether that money was their own or not. However, you have not yet told us what disadvantage

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disadvantage there would be to the trading public in a firm having a partner, though he was not known, but who had given that firm the means of meeting its liabilities. How would that constitute a disadvantage if that money was liable for the debts of the partnership as it would be?—If he was a partner I admit it would not do any harm.

456. That is exactly the point I started with—the question of a concealed partner?—I think it is desirable that a person is not a partner should appear by the registration of those who are.

457. Now as to the effect of this Bill on fraud. When this Bill was introduced into the House of Commons a great deal was said by the mover of this measure as to the misfortune which arose to the public from a man trading under some high-sounding title and really being only some rascally single individual. Do you consider that this Bill will have a material effect in checking frauds of that kind?—I think it may be expected to have a considerable effect in that direction. I had the particulars of a case brought to my notice which has been one of some notoriety—the case of a contractor who supplied goods to the Government, and who, on being struck off the Admiralty list of persons authorised to deal with the Department, carried on business under an assumed name.

458. And have you any reason to suppose that that would not be perfectly possible after this Bill has become law?—I think it will be rendered more difficult.

459. Suppose a man starting with the name of Brown was guilty of fraud, which caused him to be struck off the Government list. That man, then, with no fraudulent intention, or, at any rate, with none which the law can find him guilty of, takes a new name. He says the name of Brown is rather played out. I will start with the name of Jones, and he, without taking out a Royal licence or anything of that sort, intimates to people that he wishes to be known as Jones in all his life and in every way. Then he proceeds, two or three years afterwards, to trade as Jones, there being no fraudulent intention, so that the courts could hold he had done it with intent to defraud. Now, why should not that man continue to trade as Jones after this Bill has passed?—If he legally changes his name, no doubt he could, but I cannot contemplate people would legally change their names in that way.

460. Not after they have committed frauds?—I do not know what the law is with regard to change of name.

461. One knows that anyone by Royal licence can change his name; it is merely a question of paying a certain fee—

Chairman.] And even without Royal licence.

Mr. Vicary Gibbs.

462. Quite so. He can change his name *ad libitum*, and at will. That being so I put it to you whether this Bill will really effect the objects the promoters have in view—namely, of preventing fraud?—I do not think that any Bill will ever prevent fraud on this or any other

Mr. Vicary Gibbs—continued.

question. It will help to reduce fraud, help to make it liable to be punished.

463. Do you not consider that as to the distribution of those fees the bulk of them should fall upon the person making inquiry as to the constitution of the firm and not on the man who has to register his firm, because the object of the Bill is to benefit the enquirer and not the firm?—Yes, I think the bulk of the fees probably would fall, under this Bill as it stands, upon the enquirer.

464. And should in your opinion so fall?—I see no reason why a firm should not be required to pay a small fee on registration for the privilege of trade.

465. A person gains no benefit by registering: a person gains by seeing what other people have done in the way of registering: therefore it would seem it should be upon the inquirer and not on the person registering that the cost should primarily fall?—And I think the figures set out in the Bill practically have that result—a figure of 5s. for registration and 1s. for inspection by each person.

466. Then I understand you to say—I do not know whether correctly—that the Registrar would have to be really more or less a machine. He could not examine or investigate into title, if I may say so, at all. He could not find out or take any pains in fact, or be expected to ascertain, whether the statements were correct?—I do not see how he could.

467. Then I want to know what would be done in a case like this. You know the law of partnership is delicate—that is to say, that it would be easy for a person to misunderstand his own position, or to have a dispute as to his position as a partner. For instance where people put money into a business on the terms of having an interest in the profit and loss, and where it is so worked that it is really, we will say, a colourable evasion of the act of partnership. For instance, instead of having that, a man says, “I will receive in return for this money a sum equal to 5 per cent. on your profits.” There may be some cases where you get extremely near to the border line of partnership. Supposing that Mr. Smith and I are in partnership, or are said to be, and that Mr. Smith registers the name of the firm as Smith and Gibbs, but I write to the registrar and say I am not a partner in the firm?—You would have to sign an authority; the statement would not be registered until all the parties who were said to be partners had signed the statement.

468. Let us suppose that Mr. Smith, fully believing me to be his partner, writes and says: “I have not been able to get Mr. Gibbs’ signature because he declines to give it.” What is to happen then?—I do not think the registrar could register Mr. Gibbs’ name in that case.

469. And yet the firm would be trading?—Yes.

470. And considerable delay and considerable expense might take place, I suppose?—They would be liable to penalty for not registering.

471. The firm would be liable to a penalty for not registering, but meanwhile they proceed against me. Now imagine a difficulty of that kind to arise, what would be the process?—Do you

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you mean with regard to the recovery of penalties?

472. Or with regard to enabling people to judge of the credit this firm really has?—If a creditor wished to proceed against the firm he would proceed precisely as at present. He would proceed to prove that those persons were partners and that they were jointly liable.

473. My point is, so far as a man does business with that firm, he will want to know whether that firm is simply Smith or whether it is Smith and Gibbs, and he may be delayed a long time before he can possibly find that out?—And so he may at present. If he applies to Smith, and Smith says he is a partner, and Gibbs says he is not, he is still subject to the same difficulty.

474. Of course if this register be not accurate it would be worse than useless?—If it is untrue it will be worse than useless, but not, I think, if it is incomplete.

475. Of course there is the fact which you did, I think, refer to, that a *bona fide* error as to what constitutes a partner may be made?—Yes, but I take it all who signed this statement, and therefore all whose names appear in the register, will, *ipso facto*, be partners.

476. That is a very startling alteration of the partnership law that you apprehend will arise from this Bill, that whether a man is in fact a partner or not, if he, being ignorant, as many small traders may be, as to what the law of partnership in England is, is foolish enough to register himself as a partner under the wrongful impression that he is, he will *ipso facto* become a partner?—That is, as I understand, the law at present, and it will be the law under this Bill. If a person holds himself out to the public as a partner he is liable as a partner, whether he receives the benefit of a share of the profit or not.

477. That is a very different position. If a man holds himself out to the world as a partner it is most proper that he should be a partner. But if he, under threats of penalties in this Bill, and desiring to conform to the law, states what he believes to be a fact, but which is not, you do not suggest he should be held to that. He has merely desired to fulfil the law, yet he finds himself in a position of having declared himself to be something which he is not?—He is merely holding himself out as a partner under Section D, and I propose the section shall run, "Full names, occupation, etc., of the members of the firm."

478. I am speaking of a *bona fide* trader?—If a man in good faith puts his name there as a partner, and holds himself out as such to the public, he would be liable as a partner.

479. There is a strong distinction between his doing so merely for the sake of attracting credit to the firm, which is quite improper, and where he does so to avoid penalties of 1*l.* a day, which are threatened on him if he be proved to be a partner and has not disclosed himself?—I think he must take the risk of his deliberate act of holding himself out. It may be wrong in law, but so I read it.

480. Did I understand you to say that you thought there ought to be an express provision in the Bill to prevent the fact of non-registration

Mr. Vicary Gibbs—continued.

not being evidence of non-partnership?—I think so. I think it would be well to reserve the provisions of the law of partnership, so that it should not be affected by anything in this Bill except so far as it is expressly provided.

481. Do you mean the Judge should be directed to exclude from the consideration of the jury the fact that it did not appear?—I think that there should be a clause in the Bill to the effect that the law of partnership would not be affected by the Bill except as expressly stated, so that if he is in effect a partner under the law of partnership as it stands he would be a partner under this Bill notwithstanding the omission to register.

482. He ought not to profit by omitting to fulfil the law, clearly. Have the laws of countries under the Code Napoleon come before you, such as the Chilian law, with which I am well acquainted, which goes further than this Bill does?—I am aware that on the Continent and elsewhere there is a much stricter commercial system than we have, and that registration is required to a much greater extent than we require it; but I do not know the details of any of these laws.

483. For instance, under Chilian law you are not allowed to register any names which are not the actual names of partners in the firm. For instance, if you were trading as John Smith and Son and Mr. John Smith were to die, his sons George and William would not be able to continue in the firm without altering the name?—I think I have heard that.

484. Do you think that is a desirable thing?—No; I do not think so.

485. You think that would be going much too far?—I think so.

486. Do you think it would be desirable to prevent the use of impersonal names by individuals where they were not registered under the Limited Companies Acts; because, in my judgment, the grossest frauds have been committed by a couple of individuals, who probably are merely moneylenders, starting as the "Universal Bank" or the "Universal Insurance Company," and trading. These have been the greatest weapons for fraud on the small public that I have known; and I ask you whether you think it would be desirable that any Bill of this kind should prevent the use of names other than the names of partners or some partners in the firm by people who are not under the Limited Companies Acts?—I should be very glad to see it done, to prevent impersonal names. I quite agree with the opinion you have expressed that they do a great deal of harm.

487. Then you told us a story of what appears to have been a more or less fraudulent dissolution of partnership—at least, without knowing all the facts, it looks uncommonly like it. Do you say that no dissolution of partnership should hold good after this Bill became law unless notice of the change had been registered?—I think in the case of a firm actually registered under this Act no dissolution should take place until the registration has been cancelled.

488. And should void any such arrangements unless notice were given. You say there is no reason

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[Continued.]

Mr. Vicary Gibbs—continued.

reason for delay as to the date when the Bill should become law?—No great delay.

489. Before leaving the question of dissolution, I would like to ask you this. One understands that when people are in their ordinary health it is quite natural that they should get notice themselves, otherwise that they should not benefit by that retirement. But suppose a man becomes imbecile or lunatic how would you propose to deal with him?—Is the partnership terminated in that case?

490. I do not think it is. But steps, I imagine, could be taken in the courts to terminate it at some time or to relieve the Committee or whoever it was who was acting for him from the risks of a business which he was unable to control?—I apprehend those steps would include steps to remove his name from the register. It would be a compulsory dissolution by the order of the court.

Sir S. King.

491. It is a very common condition of partnership that if a man becomes addicted to drink or becomes lunatic, or ceases to attend to the affairs of the firm he ceases to be a partner, but yet he might still be retained without his knowledge as a partner?—I think he ought to be retained until his name is removed in some way or another.

492. It is rather hard on him if he does not know?—The cases of death or bankruptcy involve, I think, somewhat different considerations. That operates *ipso facto* as a dissolution of the partnership at present.

493. So will the other at present?—Not being a lunatic.

494. Under certain partnership deeds a condition of that kind is I know introduced?—The public cannot possibly know the conditions in a partnership deed, and therefore they should not, I think, be affected by it.

Mr. Vicary Gibbs.

495. You spoke of the necessity of bringing the duty of registration before people if this Act passed. How did you contemplate that being done?—I think if the revenue officers were to be employed—I do not like harping so much on this suggestion, because the revenue people have not been consulted, and I may be taking their name in vain altogether—but assuming that the revenue officers were employed, I think they have means of making the duty of registration known throughout the country as they do at present in regard to taxes and licences and other matters of that sort. They have agencies in almost every village in the country. They could take means of advertising it.

496. Do you think that the smallest trader should pay exactly in the same way as the greatest trader?—No. I should be glad to see a distinction if you could draw one.

497. It might be on the basis of capital if the capital is to be disclosed?—But this Bill does not deal with the distribution of capital. That would be a revolution in the law, which would raise fresh questions altogether.

498. It would indeed; but it would have some practical effect?—No doubt.

Mr. Vicary Gibbs—continued.

499. Then as to "usual name," you criticised the wording of the Bill on that matter, and pointed out certain objections. You said you would be content with surnames. Do not you think where the man had the same surname as somebody of great prominence in his own particular line of business it would be rather mischievous. Enormous credit might be due to Henry Jones and none whatever to John Jones, and do not you think confusion might arise if you confined yourself to surnames?—In some cases no doubt there might be a liability to that. I should be inclined to proceed tentatively in a measure of this sort; and, as I understand the Bill, it would not apply to J. Jones and J. Robertson as the Bill is drafted, and yet J. Jones may mean James Jones or John Jones. Therefore the Bill as drafted does not give all the information which could possibly be given. It does not give complete information.

500. I take it that the information disclosed in the register should be absolute and full and complete—that is to say, John Sidney Jones and William Charles Jones, whatever their names may be, should be disclosed in full, and that you desire the deletion altogether of Clause 8, and that no sort of control should be exercised upon how you describe the firm in the ordinary course of your business?—Certainly. You are now speaking of Clause 8.

501. I am really incorporating Clause 8 with the other?—I do not suggest that the full name should be given. I suggest surnames should be enough.

502. Even in a register?—No. I beg your pardon. The full names would have to be given to the registrar.

503. The fullest possible information should be furnished to the registrar, and the least possible interference should be made with how the people describe themselves in the course of their ordinary business?—That is my view.

504. Then you look upon it that any attempt to make people pay money on what their intentions may be would be a purely useless tax?—I think so, and most misleading too.

505. And you think that registers of places of business would lead to an indefinite increase of expense and to cumbrous machinery?—I think it would.

506. Let us take the Bill as it stands. Suppose a man were the vendor of a patent medicine and had it sold on commission in every chemist's shop in the country; he would have to register every chemist's shop in the country as his place of business?—I do not know that it would exactly go as far as that. But I think every agent would have to register.

507. Whether it was done by him or done by somebody else, every one of those places would have to be disclosed as trading in his business?—I do not think that in the case you suggest it would be necessarily the business of the patentee. It would be the business of the local chemist who sold it on his own account.

508. But suppose he sold it on the vendor's account?—If he was acting as agent he would require to register.

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Mr. SMITH.

[Continued.]

Sir S. King.

509. It would be the agent whose credit would be liable, not the owner of the patent medicine?—I was looking at Lipton's prospectus the other day. In that case they seem to have had 3,000 agencies; and the business was stated to be carried on on a cash basis, and in a way which indicated that it was Lipton's business; they were carrying on the business as Lipton's simply.

510. On his responsibility?—On his responsibility.

Mr. Vicary Gibbs.

511. Do you think that this Bill will be resented by the small traders all through the country as a tax upon them for which they get no advantage?—I cannot think it will to any large extent be resented if they get notice before penalties are enforced. I think it will certainly be resented if they are suddenly summoned by a common informer to pay penalties for failure to comply with an Act which they probably have never heard of.

Sir John Stirling-Maxwell.

512. You were so good as to read a clause of an Australian Act which you thought might be with advantage added to this Bill, with the view, I understood, of excluding cases of associations which were not intended to be included within the scope of the Bill, such as temporary partnership and other partnerships?—Yes.

513. I should like to ask you whether you think that clause, if added, would completely cover that ground?—I stated that I thought the clause was open to criticism as it stands, but I think it would go a long way towards covering it, especially the first part of it—"Persons who do not publicly notify or advertise themselves as carrying any specific business at any specified place of business."

Mr. Vicary Gibbs.

514. Those words exclude the concealed partner altogether, surely?—No.

515. He does not hold himself out as doing any specified business?—It ought to be "firms" undoubtedly. That is a just criticism. It is not persons but firms—firms which do not publicly notify should be excluded.

Sir John Stirling-Maxwell.

516. Then did I understand you ought in saying you think that people who are not carrying on business at any definite place are excluded by the wording of this Bill as it stands. Clause 5 makes allusion to the place of business?—I really am not competent to express an opinion on that point. That is a question of legal construction which I should prefer to leave to the Committee.

517. The reason I asked you was that we had a memorandum read us to-day from the Procurators of Glasgow?—Yes, I heard it.

518. And they turned attention to various cases in common life of associations of business which they imagined would come under this Bill. I wanted to ask you whether you thought that was the case? I might remind you of what they were. One was the case of fishing in Scotland, which is carried on by boats' crews in

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Sir John Stirling-Maxwell—continued.

partnership?—Yes; that struck me as something which I had not thought of before. I do not know whether it is possible to provide for it in this Bill. I do not know that it is any great hardship in requiring the names of boats' crews if they carry on trade under a trade name.

519. Except that they change them?—It is only if they carry on business under a trade name.

520. They would carry on business under one name—the name of the master?—And incur liabilities.

521. Probably the master's address might be treated as being the place of business under the machinery of this Bill?—If they incurred liabilities in the name of the master I do not see why they should not come under this Bill and disclose the fact of there being a partnership.

522. That would mean that the master would never take a new hand on in that case without registering?—Probably that would be so.

523. And that would cost him 5s., which would be rather a serious consideration?—It would place him in the same position as limited companies, a great many of whom at present are constituted of small bodies of traders in that way. If seven persons associate themselves with limited liability at present they have to register and to register the names of their partners.

524. Then you would not object to the application of the Bill to such a case as I have mentioned?—No.

Mr. Vicary Gibbs.

525. In the case of a registered company that does not apply. You have to register the first seven and after that you have nothing more to do?—Yes you have to register the shareholders once a year.

526. Perhaps you do not know how the fishing trade is carried on?—I do not.

527. One man owns the ship and the gear, and he gets, say, three shares. It is usually divided into seven, and there are four hands, very often, who each get one share. Then there may be an apprentice boy, and he gets half a share, or, supposing there are two apprentice boys, they get each half a share. Then they go up the North Sea for three months' fishing, and at the end of the time the partnership is over?—Do you know that they have been held liable as partners?

528. I think the ship is so liable—I think practically the men have no responsibility whatever, that it all devolves on the owner of the ship who finds the gear and the provisions?—Then they probably do not come within the law of partnership. But if they do I would suggest for consideration whether it would not be better to exclude special cases of that sort from the operation of the Bill.

Sir John Stirling-Maxwell.

529. In that case I should like to ask you on what basis you would exclude them—on the basis of capital, or on what?—No; I would take the description of the various classes of business referred to by the Procurators of Glasgow.

530. I can imagine it would be difficult to draw the line, and you might get cases which

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Mr. SMITH.

[Continued.]

Sir John Stirling-Maxwell—continued.

you would wish to come under this Bill, and yet draw the line so as to exclude them?—I think I should throw the responsibility on the Procurators of Glasgow, who are objecting to the measure, to draw a clause which would meet their views by exempting the classes referred to, and which they think would be injured by the Bill.

531. Their view is, it is so difficult to do that that the Bill ought not to be passed?—That conclusion I should not share. I think it would be much better to pass the Bill even if certain classes may be subject to some slight inconvenience.

532. Would you express an opinion about the other classes to whom they allude, such as navvies working in squads?—I cannot think that they would come under the law of partnership; I do not know.

533. They work together; and one man is paid and divides the pay among the others?—Do they incur liabilities?

534. I do not know; I suppose they would be responsible. That would apply also, I suppose, to home industries—to family partnerships?—I do not know—family partnerships would probably come within the law of partnership.

535. They are not formal associations, there would be cases of tailoring, dressmaking, and trades of that sort?—If you carry on the trade of dressmaking in partnership I see no reason why the law of partnership should not apply to those cases—including that part of it which relates to registration.

536. The reason why I asked you was this: there is to be a 5s. fee under the Bill for each case of registration; and that would mean that where a family were carrying on work, if one of them who had been doing the work had to go away, they would have to pay 5s. and these people would probably not be in a position to get any benefit from the registration of firms. They would have none of the kind of dealings which are jeopardised by the present state of affairs. If your suggestion of the surname were adopted and added, it would cover others of the same family?—I see no reason why the various cases you have mentioned, so far as I understand them, should not be excluded from the operation of the Bill. I should doubt if the majority of them came within the Bill, but I should think there would be no objection to excluding them.

Mr. Vicary Gibbs.

537. Would it not be very difficult to exclude the tailor and his family?—If they are really trading in partnership, and if they have assumed the trade name to cover that partnership, I do not see why they should not come under the Bill.

538. Although it may be a very heavy tax to a poor and struggling family?—They can very easily arrange it otherwise. They can arrange it as a limited liability company. Even then they would have to publish the names.

Sir John Stirling-Maxwell.

539. I should like to ask you about Clause 9.

Sir John Stirling-Maxwell—continued.

I think you expressed an opinion that one month was not too long a time to give in that case?—No. I do not think it is too long a time.

540. Do you think it is long enough?—I think it is, unless in a case of foreign partnership, that is to say of partners resident abroad.

541. Supposing two people formed a partnership and registered before they commenced business, and one had capital and retired before they actually did commence business, the obligation would lie on the other within a month to register the change?—Yes.

542. And if he did not choose to register under the Act for 28 days anyone who asked for an extract from the register would receive misleading information that the man of capital was a member of the firm?—The old member you mean, yes.

543. One who never had actually been a member, but who had agreed to become a member, and who had signed the original notice, but withdrew before the business began?—That is a criticism, I think, upon the words, "Intending to commence business," is it not?

544. Yes?—I think that is entirely misleading—that the registering of intentions is a mistake.

545. You think that difficulty would be covered by your proposal to get rid of intention?—I hope so. I think you should get rid of that altogether. With regard to Clause 9 the term of one month would, I think, as a rule be sufficient. I can hardly imagine a case except of a foreign partner, where it would not be sufficient, because the moment the change takes place is well known to all the partners, and whatever legal steps are taken with regard to the reconstitution of the firm necessarily include giving notice to the registrar. But I see no reason why the time should not be extended, always providing you leave the old partner liable till the change.

546. I take a case purposely in which the partner was not liable because he had never become a partner?—I think there is a mistake there.

547. There is one question I should like to ask if the Chairman does not think it too rudimentary, and that would be as to the general reasons which the Board of Trade have for seeing this Bill passed. You said in your evidence that they recognised the evils publicly noticed?—I hope I did not say that the Board of Trade desired to see this Bill passed. I wish to be explicit on that point. I stated what had been hitherto the attitude of the Board of Trade until the present measure. The President of the Board of Trade in Parliament expressed his opinion that it was desirable it should pass; but I am not here to represent the opinion of the Board on the subject as to its desirability or otherwise.

548. I should not have used the expression "wished the Bill to pass." I should have said "sympathised with the objects of the Bill."—I am instructed to give evidence from this point of view, that certain objections have been taken; and the question for the Committee to consider

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Mr. SMITH.

[Continued.]

Sir John Stirling-Maxwell—continued.

consider is whether they have been fully met by the provisions of this Bill. If the Committee are satisfied on that point then there are certain details which the Board of Trade would like to see altered before the Bill is passed.

549. Then you could not give any sketch of the reasons for which the Board of Trade would be glad to see a Bill of this kind passed?—As the president has expressed his opinion in favour of the Bill I should prefer to leave to him to state the reasons for which he has expressed that opinion. I have stated my personal opinion that it would be beneficial.

550. Could you give us a sketch of your reasons. There has been evidence taken before a former committee, but before this Committee there has been no evidence?—Personally, my experience is that the more business grows, and the more complicated it grows, as it does every day, the more desirable it is to have publicity, wherever you can have it without injuriously affecting the interests of the persons concerned. I think a good deal of mischief arises from the present state of the law, under which persons are allowed to trade without disclosing who the partners are. The five cases I have alluded to here are merely samples of a larger number: and they are all cases of more or less fraud. I think these frauds are perpetrated to a considerable extent throughout the country; and in many ways I have seen the inconvenience both when in business and since I went to the Board of Trade of persons being allowed to trade under names which served to conceal the real ownership of the business.

Sir S. King.

551. I understand that you would exempt temporary partnerships from the action of this Bill?—I think they ought to be exempted, if it is possible to do so.

552. Of course there are partnerships got up under which sometimes a good deal of money is lost—for promoting a company for instance. A three months syndicate. A few people join together and promote a company: incur liabilities as promoters, and disappear?—That difficulty has been met by syndicates registered under the Limited Liabilities Act. There is nothing more common than the registration of a syndicate which is to operate for a short time.

553. Practically you would exclude all temporary partnerships?—Yes.

554. So that that would cover to a large extent these fishing cases. Then Mr. Gibbs asked you a good many questions about practical limited partnerships—that is to say gentlemen who were financing firms without holding themselves out as partners. Do you know that there are very many cases in which a man will put money into a business, and to avoid being a partner and being himself under liability, he accepts a very high rate of interest on his money, 10 per cent., 15 per cent., or even 20 per cent., so that his profits shall not vary with the earnings, and thus he may avoid the Partnership Acts. Do not you think those people ought to be registered too?—If they interfere in the management of the business.

555. They very often go down and interfere a

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Sir S. King—continued.

good deal; and they are the only capitalists in the business in some cases?—You mean they do not come within the law of partnership.

556. They do not?—I suppose not.

557. Is not that a very common way to avoid the Acts?—They would not be partners, I believe.

558. And yet these are the people through whom the appearance of wealth is given?—Yes.

559. There is a great deal of mischief done by people controlling the management of businesses by means of the power which they gain by means of the financial advantages?—

560. You know from your own experience of bankruptcy many firms who have lost money through not having the names of the partners?—Undoubtedly.

561. But at the same time do you think, if we are to have an Act like this, all partnerships ought to be registered, which would be far simpler than having so many excluded. Do you think that two surnames would be enough. There was a case quoted just now when you were speaking of Smith and Gibbs; Smith and Gibbs would not be registered?—No, they would represent the two persons.

562. They are two wealthy men; and they die; and their sons, Smith and Gibbs, follow with no money; who is to know which is which?—Would not the people who deal with the firm in those cases know of the death?

563. They would in the country; they would not in a big place like London?—I am afraid you cannot meet every case.

564. I ask you, therefore, whether you do not think that all partnerships had better be registered?—I wished to diminish the number of cases to which the Bill applied for the purpose of diminishing the natural feeling of annoyance and resentment at being compelled to register. But if you do not reduce it to the extent of exempting all who register under surnames, then I agree with you it would be much better to require all partnerships to be registered.

565. You think there would be annoyance still?—I think there must necessarily be some annoyance, especially at the enforcement of penalties?—I do not see why an individual firm should be annoyed at getting notice that they ought to register under this Act, and penalised if they do not do it.

566. It has been suggested, I believe, by some members of the legal profession that solicitors should be exempted from this Act; do you see any reason for that?—Except that the names of solicitors are published at present, and they may be said to have a registration of their own. I was making inquiries about it, but I believe there is no official register.

567. Bankers are also registered?—Yes.

568. Every legal firm should be registered, so that you should know the names?—I think so. But if that is provided for in a public register at present, as it is in the case of bankers, I do not see why they should come under this Bill. I do not see why you need require double registration.

569. But it is not done in the case of solicitors

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Mr. SMITH.

[Continued.]

Sir S. King—continued.

tors?—Then I see no reason why they should be exempted from this Bill.

570. And you do not see any reason why doctors and dentists should be exempted from this Bill?—No, if they are carrying on partnership. We have a great many doctors every year in bankruptcy.

571. With regard to place of registration—whether it should be a central registration, from which it should radiate out into the country, or a local registration, from which the returns should be sent to the central—you say you think 7 days a great deal too short for the particulars to be sent down into the country?—At the commencement. I do not say necessarily it would be too short afterwards. I think 14 days probably would be better in any case, or a month. But I do not like the idea of imposing by statute upon a public officer like a Registrar of Joint Stock Companies an actual number of days.

572. It seems to me it is just in the locality that the greatest need for registration exists—that it is there where the people are making inquiries as to who constitute the firm?—Is that so? I find that is a view sometimes entertained, but I do not think it is supported by experience. You generally find the creditors are at a different place from the place where the business is carried on. The creditors of a firm in the country are very often chiefly London creditors.

573. I think it was in evidence that the Registration of the Bills of Sale Act took place in the country, and then a return was made to London—

Chairman.] In the case of bills of sale it is a central office. The register of County Court judgments is in the country because the County Court registrar makes his judgment there and then transmits. It is natural that the County Court, having pronounced judgment, would register it, and then forward it to the central office.

Sir S. King.

574. But the evidence was given that in the case of the Bills of Sale Act it was so slow in getting down into the country that it is practically almost useless for searching in the country?—I cannot conceive that there should be delay, but I should like to point out that if that delay arose in sending it from London to the country the same delay, or probably even greater delay, because of the multiplicity of cases, would arise in making your complete register in London; and that would be a very much greater inconvenience to a vast number of traders all over the country—that they had not a complete register to which they could at once turn.

575. Of course, to start this business will be an enormous undertaking; it will probably take many months to get it before the book can be written up—indexed?—It will take some time, undoubtedly. I do not think it could possibly be done in seven days.

Mr. Monk.

576. You have referred to the evidence of Lord Farrer before the Select Committee of 1872, I think it was. Have you read the evidence before that Committee, and are you aware that the late Mr. Samuel Morley and Mr. Hodgson and Mr. Duncan Maclaren gave very strong evidence in favour of the Registration of Firms Bill?—Yes, they did. I have not read the whole details of the evidence. I read Mr. Samuel Morley's evidence this morning before I came to the Committee, but I observed all those names mentioned.

577. And on the whole I understand you agree with them personally?—On the whole, personally I agree with them.

578. And you are also, I think, aware that the trade protection societies representing small traders are very much in favour of this Bill?—They are.

579. And that at a meeting of Associated Chambers of Commerce resolutions have been invariably passed in favour of this registration of firms?—Yes, I think they are practically unanimous.

580. On the whole, I think I understand you to say that there would be no serious inconvenience to traders provided they had due notice?—I think not.

581. And you do not see any difficulty in carrying out a registration through the revenue officers—through the surveyors of taxes?—I see no difficulty in the registrar carrying out ministerial duties, but the other matter is a mere suggestion which has occurred to me on which I think it would be desirable to consult the revenue authorities.

Chairman.

582. With reference to what you said to one of the honourable Members just now, I wish to ask you this question. An abstract statement is to be sent under Clause 18 by the Registrar to certain County Courts and places in the country?—Yes.

583. Do you attach any importance to the Central Office sending those copies of the register to the localities?—Yes. I think that some importance is attached to it. I doubt if the importance is not exaggerated. I think that the majority of searches are made in London.

584. But supposing the Treasury should object to allow the County Court Registrars to receive or record in its office the registers and consider them sufficiently worked at present, would you have any suggestion to make?—I have not thought of it.

585. I mention that because I have reason to believe that the Treasury entertain an objection to the County Courts being obliged even to receive the registers, and I wanted to know whether, if the Committee was satisfied on that, you would have any alternative scheme to suggest to the Committee?—I have not at present. I have not considered it.

Thursday, 28th June 1900.

MEMBERS PRESENT:

Mr. Michael Austin.
Mr. Cohen.
Mr. Emmott.
Sir Robert Finlay.
Mr. Vicary Gibbs.
Mr. H. D. Greene.

Sir Seymour King.
Mr. Monk.
Mr. Palmer.
Sir James Rankin.
Sir John Stirling-Maxwell.

SIR ROBERT FINLAY IN THE CHAIR.

Sir FREDERIC LACY ROBINSON, called in; and Examined.

Mr. *Greene*.

586. I THINK you are the Deputy Chairman of the Board of Inland Revenue?—Yes.

587. A suggestion was made by Mr. Smith, of the Board of Trade, last time the Committee met, that surveyors of taxes might be utilised for putting this Bill, if it became an Act, into force?—We do not consider that a very feasible suggestion.

588. What are the objections to it?—The objections are that the surveyors of taxes deal with but a small proportion of firms, such as would fall to be registered under this Bill. Their only concern is with those firms which are liable to direct assessment for income tax; and the number of those in the United Kingdom may be roughly stated at 57,000, whereas the number of firms which would undoubtedly fall under this Bill would be very much larger than that; how much larger, of course, I cannot say. There is another reason, and a very strong reason on the part of the board to which I belong against such a proposal: that we regard all the returns made under the Income Tax Acts (Sch. D.) as strictly confidential in every particular, and we think it would be a serious matter if the public who render such returns came to believe that those returns would be utilised for any other purpose than for the purposes purely connected with the Inland Revenue.

589. If utilised in the way suggested and that we are dealing with, it might lay a person not supplying information open to a penalty of 1*l.* a day?—Yes.

590. And you think the public would resent that?—Yes; and I venture to call attention to a decision of Mr. Justice Wright in a recent case of Hargreaves, which was supported by the Court of Appeal. Mr. Justice Wright there said: "Now, the Inland Revenue returns may contain confidential matters. It may be of the utmost importance to the public service that persons should be able to be certain that returns made by them for those purposes would in no case be disclosed. It seems to me to be a matter of public concern that persons should have con-

fidence in the secrecy of that procedure." That entirely represents the view of the department as long as I can remember it, which is 43 years.

591. Is the staff of surveyors of taxes sufficient to cope with the number of firms that would require to be registered?—No, I think not. The staff of surveyors is a relatively small staff. We have practically 300 surveyors in the whole United Kingdom, and they are a very hard-working, and I may say a fully-employed, body of men. Perhaps you will allow me to remark that in saying this I do not wish to say that the department will not render every assistance for the carrying into effect of the Bill through other channels; but we must earnestly protest, as far as we are permitted to do so, against the income tax machinery being brought into play.

592. Apart from the income tax machinery, could the income tax surveyors be employed?—No, we think not.

593. You see no way?—We see no way to employ them. But we have a large other staff; and if this Bill commends itself to Parliament I need hardly say we will do our best to render every assistance to the Board of Trade by means of that other staff.

594. What is the other staff?—Excise and stamp distributors and other officers. We have probably 4,000 or 5,000 officers employed in different parts of the Kingdom, but we wish to keep the working of this Bill entirely clear from anything to do with income tax administration.

Mr. *Emmott*.

595. You mentioned the number of firms in the United Kingdom as 57,000. Is that the number of firms as defined in the Partnership Act or how do you arrive at it?—Those are merely the persons who return themselves as "Smith & Company" or "Jones & Company."

596. But excluding joint stock companies?—Yes, clearly.

597. For instance, if a trader returns under a single name as John Smith, you would not class that as a firm?—No, he would go in as an individual.

598. Though

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Sir F. L. ROBINSON.

[Continued.]

Mr. Vicary Gibbs.

598. Though he might be trading with others ?
—Though he might be trading with others.
We really look at the business; we do not care
who carries it on.

Mr. Emmott.

599. May I ask you with reference to your suggestion of rendering assistance, would that be in the way of giving the particulars which you have in some cases of the composition of firms ? No. We could render assistance to a large extent in the country. It is known that there is a firm called "Smith & Co.," and we could assist the Board of Trade officially or the Registrar of Joint Stock Companies by inquiries through our local officer. But we are very anxious it should not get abroad that information which we regard as strictly confidential in character should be utilised for any other purpose than Revenue purposes. That is a matter on which the British public is peculiarly touchy.

Sir James Rankin.

600. When the Revenue officers are collecting or making inquiries about the Income Tax Act of a firm, do they know anything at all about the individual partners ?—They may. By the Income Tax Law a firm may be required to give the name of its partners; but that is not insisted upon as a general rule. We look at the business itself; we very seldom care to know whether A. B. C., or A. B. C. and D. are in it. But there is power under the Income Tax Act to require the precedent acting partner of a firm to return the names of his co-partners. In some cases it is given. If it is not given, unless there is any particular necessity for it, no inquiries are made. Again, if the members of a firm claim exemption or abatement in income tax, they are obliged, on their return paper, to specify that they claim as members of such and such a firm, and declare their separate share in the form for that purpose.

Sir Seymour King.

601. One of the main objects Mr. Smith had in view was to bring to the knowledge of traders the existence of this Act, rather than, I think, to get returns of the members of the firms. Do I understand you to say that you think through your Excise Department in that way you could distribute the information ?—I think we may. But I think probably the Registrar of Joint Stock

Sir Seymour King—continued.

Companies will be able to answer you that question better than I can.

Mr. Vicary Gibbs.

602. I understand you to say that the number of firms of which you have cognizance are 57,000 ?—57,000.

603. We have had questions put to other witnesses to try and get some idea from them as to what amount of work would be necessitated by this Bill, and that of course would turn on the number of firms. I was wondering whether you could give us any sort of an estimate ?—No; I could merely make a shot at it.

604. Which you would not care to make ?—No, I should not.

605. I understand you know of 57,000 who are already in a sort of firm which shows plainly that there are a certain number of people working together ?—There are 57,000 entries in the schedule in which assessments are rendered as if they were firms. But whether it is John Smith & Co., or John Smith alone, we cannot say.

606. Nor can you tell that an immense number of people with whom you deal simply as John Smith are not really John Smith & Co. who would thus swell the number ?—No, I cannot.

607. You consider it would be both impolitic and inconvenient for your department to undertake the machinery of this Bill ?—I consider it would be both impolitic and inconvenient for the surveyor of taxes and the income tax machinery to be in any way utilised for that purpose. But generally, as I say, we would assist the registrar.

Mr. Monk.

608. You believe you may assist in carrying out this Bill through other channels ?—Yes, through other channels.

609. Through stamp distributors and other channels ?—Yes.

Chairman.

610. With regard to the number of firms, of course, there are many cases where a name which appears to represent one individual represents several partners ?—Yes.

611. And in some cases where what appears to be a plural name represents only one ?—No doubt.

612. So, really, you can give us no guidance as to the number ?—No guidance whatever.

*Mr. ERNEST CLEAVE, called in ; and Examined.**Chairman.*

612*. You are, I think, the Registrar of Joint Stock Companies ?—Yes.

613. Have you examined this Bill ?—Yes, with reference to registration business simply, not policy.

614. Have you considered the effect of the Bill as regards the amount of work that would have to be done in the early part of the year 1901 if it passed with its present date and in its present form ?—I have.

615. Will you give to the Committee your plans on that point ?—Section 2. The effect of

Chairman—continued.

this clause, taken in conjunction with Clause 7, is, that on the 1st of January 1901, or within one month thereof, all existing firms coming under the Bill must register. Under Clause 18 the abstracts to be sent to the registrars of county courts, &c., must all be sent out within seven days of the receipt of the returns. I may mention that I find that there are about 500 registrars of county courts in England and Wales. This means an enormous amount of work to be crowded into the first five weeks of 1901. I do not see how it can be accomplished unless

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Chairman—continued.

unless the Board of Trade make rules under Clause 19. One rule, I think, should be that whenever a firm has any place or places of business outside the county courts within the London bankruptcy district as provided in the Act here, or outside Edinburgh or Dublin (see Clause 18) they shall furnish with the return, on printed forms supplied without charge, as many copies thereof as there are provincial county courts to be supplied with abstracts, specifying in regard to each place the county court in which it is situate. The forms would provide for inserting this information. The copies could then be sent immediately on receipt to the registrars or other officers concerned. I am of opinion that that is the only way in which the notification to registrars of county courts, &c., could be promptly forwarded. If abstracts are to be made, and county court districts searched for and ascertained in my office, it would, of necessity, occupy several weeks to forward all the abstracts. There are 500 county court registries in England and Wales alone. My registry must go through tens of thousands of returns, many of them with two or three places of business. It must then be ascertained by reference to a list the county courts affected, and that work would occupy an immense amount of time. It has all to be done in five weeks, as I have pointed out. I have a suggestion to make as to the abstracts under Clause 18. If that is not approved of it is absolutely necessary that the seven days should be extended to one month at least.

616. Have you any materials for telling us what the number of returns would probably be in the United Kingdom?—I observe that Messrs. Stubbs' representative has estimated the number of returns at 260,000 in the United Kingdom. I have no information, either in confirmation or disproof of this estimate. On an estimate, roughly made, at my direction, from the London Directory entries, there was estimated to be 20,000 in London. I had put in the Report to the Board of Trade the total at possibly 100,000; but it may be the number is double that; I cannot say; I have no information.

Mr. Vicary Gibbs.

617. There was at the last meeting of the Committee a suggestion that the words "seven days" should come out?—If that were adopted it would facilitate the business. On Clause 3 I have a suggestion to make as to an exemption. I suggest to the Committee to exempt solicitors whose names appear in the Law List. If you take a page of the Law List, any page you like, you will see that all the information sought to be gained under this Bill is really disclosed. I have taken a page at random, Bird and Hamer (Henry Hamer, 13, South Square, Gray's Inn; Blake, Heseltine, Child and Crailsheim (Stephen Ambrose Child Child and Francis William Crailsheim); and so on all the way through. I am aware of this particularly, as I am the compiler of the Law List. It is all given there, at least in regard to names which appear in the Law List. I should limit the exemption to solicitors whose names appear in the list. There are others who do not take out their certificates

Mr. Vicary Gibbs—continued.

in time, and whose names do not appear in the Law List.

618. Is that the only exemption?—There is one other, and that is bankers. In January of each year every private banker carrying on business has, under 7 & 8 Vict. c. 32, to return to my office the name of the firm, the persons of whom the firm consists, and the place of business. In London those returns are published in the "London Gazette"; and all country bank returns are published in February of each year in some paper circulating in each of the counties in which they carry on business; so that there would really be no purpose served by including them. In fact it is desirable, I should suggest, to exempt them from the operation of the Bill.

619. Have you any suggestion to make as regards smaller firms throughout the country?—No. I really do not quite see that it will be of much practical use to include medical men under the Bill. They do not trade. As it at present stands they are not included.

Sir Seymour King.

620. And dentists too?—I have not formed any idea about that.

Chairman.

621. Have you any suggestions to make as regards smaller firms throughout the country?—I have no suggestions to make; I do not know sufficient of the circumstances; but as to solicitors who are in the Law List, and bankers, I think it is requiring them to do something which appears to me to be unnecessary.

622. Have you looked at the language of Clause 4?—Yes.

623. Have you any suggestion to make to the Committee on that?—Clause 4a says, "Every firm carrying on business or having any place of business in the United Kingdom under a trade name which does not consist of the full or the usual names"; and that seems to require that if they do not use their Christian names in their firm title they must make a return; and I do not think that is intended. I should suggest that the term should be "surname" or "surnames." I do not think you will find very many firms even where they give the full names. Jones and Smith would use the title J. Jones and J. Smith, and I take surnames to be enough if the surnames are disclosed. Mr. John Smith has already made that suggestion. I had it in my notes here, and I heard when he was giving his evidence that he suggested the same thing.

624. Have you considered whether under Clause 4 the return would be exigible if the style "and company" was used?—I should think so. The Bill should operate to prevent people from tacking on to their names words which really had no meaning.

625. With regard to the operation of Clauses 7 and 9, does your experience in the past enable you to make any suggestion?—I think we ought to allow new firms a month at least to make their returns after commencing business; and also that existing firms should be allowed two months. I say that in the interest of the people concerned in making the returns and also in the interest of my office. At the beginning of

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[Continued.]

Chairman—continued.

of next year, if this Bill passes, the mass of work will be enormous; and if we can spread it over two months instead of one it will facilitate it being done very much. The Bill should provide what is to be done with the previous Return when an amended one is received.

626. You observe under Clause 11 a penalty is imposed for default in sending the necessary statements?—Yes; and my opinion is that defaults would be so numerous that it would not be possible for the Board of Trade or any public department to undertake proceedings. I would suggest it be expressly provided by the Bill that a common informer should get the whole or a moiety of the penalties imposed. There is a somewhat similar provision in Section 66 of the Companies Act, 1862, empowering the award of penalties to informers.

627. Would not that be rather a formidable weapon to put into the hands of unscrupulous people?—Well, if people do not comply with the law, I do not think they would have any right to complain. I further think the penalty is very heavy. I should suggest for the first offence the penalty should not exceed say 40 shillings.

628. Of course, if it were in the hands of a public department, you would be certain against prosecutions being undertaken except for legitimate motives?—Under the Companies Act there is no difficulty, and I do not think it has led to any scandal. Occasionally individuals do lay informations against companies that fail in making their returns and things of that kind, and, as a rule, they get very small penalties.

629. Of course this would cover a very wide field?—Very wide, there is no doubt; it is that which makes it so impossible for the Board of Trade to undertake the proceedings.

630. As I understand it, you say it would be impossible for any department to undertake the number of prosecutions that would be required?—I think so.

631. On the other hand, if it is left open to common informers it opens a new field of enterprise, does it not?—Yes; but if they make the returns they have nothing to fear.

On 14—"on receiving any statement made in pursuance of this Act the registrar shall cause the same to be filed, and he shall send by post or deliver a certificate of the registration thereof to the firm or person registering." My observation is that in the short time available it would not be possible for the registrar to give any certificate of registration other than a printed form with his lithographed signature. I should not have time to sign my name tens of thousands of times. You could have a suitable form, with a lithographed signature, which I think would answer the purpose.

632. Have you any suggestion to make as to the form of register under Clause 5?—The most convenient, and, having regard to the time at his disposal, really the only possible, way for the registrar to keep the register and index would be for him to file the actual returns in strictly alphabetical order within cardboard book covers properly endorsed "Aa to Bb," and so on to the end of the alphabet, a convenient number being kept in each cover. We use book covers of this kind for the files of joint stock companies, and they are very convenient. As the returns come

Chairman—continued.

in day by day we should sort them into the proper place, and the book itself would really be the index—the alphabetical arrangement would be the index—and whenever any one came to search, the particular return could be found readily from the alphabetical arrangement, and could be inspected. The same system might be followed by registrars of county courts, &c., in regard to the local registers.

633. That would, in your view, facilitate search under Clause 17?—Very much.

634. With regard to Clause 18, I understand that you have to make a suggestion to the Committee?—Yes. I previously stated that in order to facilitate the registration office work the abstract should, in my opinion, really be a copy of the original return. I venture to think, however, that the registration in the provinces is not necessary. Copies could be ordered by post from the office in London, Edinburgh, or Dublin, under Clause 17, with a fixed charge of, say, 1s. to include the inspection fee. I suggest this fee in place of those now provided in Clause 17. It would be less trouble, it seems to me, for the public to write to the Companies Registration Office than to go to possibly distant county courts. It is doubtful, too, whether county court registrars could undertake correspondence; and if that be so the inquiries made through their officers would always entail personal visits. If certified copies were ordered for evidence in court there would be the one shilling stamp duty to pay as well as the one shilling fee. But I think if you give everybody the opportunity of writing to one central office, and sending one shilling, it would be a most convenient method. The stamped forms could be kept at all the post offices and Revenue offices in the country, and then, if a man wanted a copy of a return, he would go to the office and get a stamped form for a shilling and send it to us, and we should send him an absolute copy of the return by next post. Then if it was wanted for evidence in court, I should have to certify; and then there is a stamp duty of one shilling on the certified copy.

635. Then as regards Clause 19, I understand you have some observations to make?—This relates to affording the public convenience in the matter. Whatever fee may be charged for registration it can be arranged by the Board of Inland Revenue and the Post Office to have registration forms, ready stamped with the amount of the fee, whatever it may be, kept on sale at the stamp or post office in every large town throughout the United Kingdom. In all other places they could be specially ordered through post offices, and be obtained by the next post. If the county court registries are to be established as many forms as might be necessary for additional places of business, that is for additional copies, could be given with the stamped forms gratis.

636. Is there any other observation you wish to make on the Bill?—I think the requirements of the Bill should be freely advertised in newspapers throughout the United Kingdom. I have ascertained from the Post Office that they have no objection to notices being exhibited in all head post offices, and the Inland Revenue would be willing to follow the same course in Revenue and stamp offices.

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637. So as to make people aware of these new obligations?—Yes, in advance. I ascertained from the Post Office yesterday that they had no objection, and the Deputy Chairman of our Board told me the same thing. I think advertisements should also be inserted to some extent in newspapers. It would not cost very much to begin with.

Mr. H. D. Greene.

638. Have you considered whether your office would require any additional clerks and provision made?—There is no doubt. As to the registrar's staff, the enormous business on the initiation of the registration would have to be done by the present staff at overtime, with the assistance of clerks whose services might be obtained temporarily. Until after some experience of the business has been gained it would be impossible to say what the permanent addition to the staff should be. But in my office, I am Controller of Stamps as well as Registrar of Joint Stock Companies, I have over 100 clerical staff, and to begin with we should get them all to do this work after their ordinary business is done until we got a notion as to what the extent of it was.

639. Do you imagine that this might be a self-supporting scheme, or would there be a deficit, and if so, have you thought at all what amount the Treasury would have to find under Section 21?—I do not believe they would have to find any amount. If you fix the fee at five shillings there will be a very large profit to miscellaneous revenue.

640. Five shillings would not include all the expenses which would be incurred by the individual who registered; it would not include his swearing before a justice of the peace?—I suppose he would pay the commissioner 1s. 6d.

641. Would you give him anything in return for that?—He would get the certificate that he is registered.

642. Has it occurred to you to consider whether the county courts might be employed as receivers of information and so feed you with the information and thus diminish the labour that might fall, in the initiation of the scheme, upon your office?—I do not think they could help us at all.

643. If there were 500 county courts spread all over England would not the registration in them, to commence with the transmitting the record up to you, relieve you very considerably?—We should prefer to eliminate the county court altogether; we should have less trouble.

644. Now as to the exemptions that you propose; I understand that you are the editor of the Law List?—Yes.

645. Is that part of your official duty?—Yes, as Controller of Stamps.

646. But there is no obligation on solicitors to return the firm name?—No. It is just as they pleased, but they all do.

647. There would be an exemption in their favour and they would be liable to no penalties if they did not comply with the Act?—Yes, they would if they appeared in the List as individuals when they were really firms: but I do not think there are any cases of that kind.

O.25.

Mr. H. D. Greene—continued.

648. There would be that exemption?—Yes.

649. I think bankers are liable to a penalty?—Yes, they are liable to penalty.

650. Your proposal would be to make an exemption in favour of one set of people who would not be liable to a penalty if they did not comply with the Act; then bankers you would exempt; but they would be liable to a penalty if they did not comply with the Act under which they would have to register?—That is true. I think you get all the information in the Law List as to solicitors.

651. Medical men have to register, I believe?—They are registered at the College of Surgeons. I do not think they carry on their practice to any great extent under fictitious names. When a man buys a practice, until he is introduced he keeps up the old name, but it does not last long.

Chairman.

652. You have occasionally cases of two medical men carrying on business in partnership?—Not, I think, without disclosing the names, and they would not come under this Bill.

653. Practically speaking a Bill is not wanted for them?—No, I think not.

Mr. H. D. Greene.

654. With reference to the penalties, does it occur to you that if there is a penalty incurred day by day private individuals could use the knowledge that some person has incurred penalties inadvertently, for the purpose of obtaining hush money?—Yes.

655. Has that occurred to you as possible in the case of firms?—That is why I would relieve them from the 1l. a day for the first offence. I would fix a penalty not exceeding any sum you may think of, say 40s.

656. Does it occur to you it may be better to strengthen the power suggested by the Bill and deprive those who do not register of the advantage of having legal facilities, such as to strike out a defence?—I have not thought of that.

657. Or prohibit prosecution of a suit; or, in case a person becomes bankrupt and is not registered, to make it an offence under the Bankruptcy Act: has that occurred to you?—No, I had not thought of the Bill in that light at all.

658. But you would meet the penalty question by allowing a common informer to recover 40s.?—Yes. Under the Joint Stock Companies Act there is power to award to the informer such proportion of the penalty as the court may think fit.

659. Is that a daily penalty?—Yes; 5l. a day in some cases.

660. Of course you have no information of the number of prosecutions which might have been instituted, but which have been bought up by means of hush money?—Not at all. There was one man, whose name I must not mention, who made it a business to inform.

661. With reference to copyright, that is not at all uncommon?—I do not know.

Chairman.

662. And you might have a firm registered for that purpose?—We have for all sorts of purposes. If a company came in with that object I should venture to resist the registration; or if a company comes in for any purpose which is contrary to public policy or illegal.

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Mr. H. D. Greene.

663. Have you considered whether in your position as registrar you have any power to deal with disputes, one person alleging that he is not a partner and ought not to be registered, and the other suggesting that he ought to be and claiming the advantage of his credit?—The Board of Trade has defined the duties of the registrar as being simply ministerial in every respect.

664. Then have you any suggestion to make to meet this difficulty that your register may require purgation from time to time. There may be firms that have given up their business. There is one thing I omitted to mention, I think the Bill should provide, when a subsequent report is made, what is to be done with the original return. I have a note here which I overlooked in regard to the subsequent registration of any change in the firm. I think the Bill should provide what was to be done with the original?—The amended return would, in the case of a changed firm, supersede all prior entries.

665. But suppose there was a case of a firm stopping business, but not making registration of the change, would you say that, after a certain time, that must go off your register?—We should know nothing about it. The return is made once for all until a change is notified to us.

666. Would it not block your register and make it very uncontrollable?—It is far better if, in cases where we have notice that a firm has ceased to exist, we should have power to take the return off the register.

667. That would involve your having evidence upon which you could act?—Yes, certainly.

668. And that would at once place you in a judicial position?—We should only act when reliable information came to us. We could not inquire.

669. But suppose there was a dispute. I will take the case of a person who said he ought not to be maintained on the register, and somebody else perfectly *bonâ fide* maintained that he ought; how would you deal with that as a matter of your register?—I should leave it on the register until they had gone to some court and got an order on the subject.

670. Then you would have contradictory allegations on the face of the register?—Yes.

671. And that would not be of much use to inquirers?—No.

672. Then would you have some means of preventing a person from disputing an alteration which had been sent up to you. You would have no means of rectifying the register at all?—No, I think that would have to be left to the court; we could not do it.

673. What court?—I suppose the High Court.

674. Is there any procedure that you can suggest for that?—There would have to be a provision. It might be provided in the Bill that on application the court could make an order to take a return off or to amend.

675. Under the Companies Acts I think the court can cause a rectification of the register?—Yes, that is the company's register.

676. Would you apply a similar proceeding to a registration of this sort and give the court power to adjust a dispute?—Yes.

677. And then you would be made amenable to the court's order?—Yes, certainly that is desirable. It is an oversight that it is not provided.

Mr. Vicary Gibbs.

678. What would you do in that case. Suppose Mr. Greene and I are in partnership and a man of straw, a discharged clerk, having a feeling against us, sends up to you a notice that Mr. Greene has retired from partnership with me, with the object of destroying or injuring the credit of my business, are you going to enter that on your register for what it is worth?—I am afraid we must if he commits forgery.

679. Then you will put it in the power of any discharged rogue who has no money whatever to ruin the credit of the firm by your machinery and the firm can do nothing against him?—No, not the machinery as it at present exists. Of course you would have to provide, by application to the court, that the matter should be set right.

680. But I point out that this may be entirely without the knowledge of the firm?—Of course we should require a return to be submitted by the partners. We certainly should not take a notice such as you mention, except under the name of one of the partners of the firm. We should not accept it.

681. Suppose this man had been a partner with us and had been gazetted out without your knowledge, and then he sends you this notice?—Under the Bill here it is requisite for everyone to sign, and so we should not put it on the file.

682. Then nothing but a forgery would do it?—Nothing but forgery.

Mr. H. D. Greene.

683. Has it occurred to you to consider whether this scheme would not be most satisfactorily carried out by enabling those existing firms to register if they choose, making it compulsory upon any people that come into existence as firms after the passing of the Bill, or after a fixed date, requiring them to register but leaving it open to persons now engaged in business?—Of course it would not be one tenth part as useful as it would be under this Bill.

684. But these existing firms, who consider that it is desirable to have access to the information and to supply it to others about themselves would have the means of doing it if they volunteered to register now?—Yes; but do you propose to exempt them from compulsory registration?

685. Existing firms?—Existing firms. Then I do not think the register would be of much public use.

686. Only make it compulsory for future firms?—I do not think it would be of much public use.

Mr. Vicary Gibbs.

687. Not immediately, but ultimately it would of course?—Yes, ultimately, after a lapse of many years.

Mr. Emmott.

688. You desire to get rid of the county courts in regard to this matter. Now, of course, the use of a local register is that people can look it up and get the information at once?—Yes.

689. How do you meet that difficulty with the idea of a central register. It would take two days for people out of London, would it not?—Yes.

690. Otherwise it would require some cost in telegraphing to the mercantile agencies?—It might

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Mr. Emmott—continued.

might, yes; but you must bear in mind that there are not county court registers in every town. The county court register serves a circuit, and the register in the town would be of use to people actually living in the town; but all the people round would find it much more convenient to get the information by post; and they would get it just as well from London, Edinburgh, or Dublin.

691. Supposing the Bill is passed and the county courts are retained, you object to the seven days in Clause 17 as being too short?—Yes.

692. But you would apply that remark only to the first registration?—Yes.

693. You do not think it is too long for subsequent proceedings?—No, because those returns would come in gradually throughout the year.

694. That is precisely my point; they would come in gradually afterwards?—Yes; but seven days is too short for the original registration, that is all.

695. Do you consider the penalty too great?—It seems so.

696. Did you suggest a definite sum?—I said for the first offence a penalty not exceeding 40s. I only threw that out. That is only to cover cases of inadvertence and ignorance. You will have to deal with lots of ignorant people in this matter.

697. As a matter of fact there are a great number of continuous daily penalties under the law which are never enforced as a practical matter?—Quite so.

698. So that that is not a very serious matter?—No.

699. Do you see any real difficulty about this question of possible attempts at false registrations, or even mistaken registrations?—No, not at all, unless they are cases of absolute forgery; and those you cannot guard against; that is out of the question.

700. It must be a matter of downright forgery?—Yes.

701. Take the case of a firm, you require the signatures of all the parties?—Yes.

702. Therefore it would not be so easy a thing as it might appear?—I do not think it would be easy at all.

Sir J. Stirling-Maxwell.

703. Do solicitors pay any fee for being put on the Law List?—No, they pay their certificate duty, 9*l.*, or 4*l.* 10*s.* in London, and 6*l.*, or 3*l.* in the country. The payment is due on the 16th of November, but if they pay on or before the 1st of January, then we put their name in the Law List, town and country. That is done as a matter of course. The law requires us to publish a Law List; and this Law List is accepted in evidence as to people being solicitors throughout the United Kingdom. There is no fee paid for insertion in the Law List.

704. You said you thought that the proposed 5*s.* fee for registration would more than cover the cost?—Yes; it depends of course upon the number of returns, but I do not think the central registration altogether would cost more than from 2,000*l.* to 3,000*l.* a year in London; and if you have 200,000 firms registered at 5*s.* there is 50,000*l.* the first year. Then I take it 0.25.

Sir J. Stirling-Maxwell—continued.

that every subsequent year there would be about 20 per cent. of changes—that would be 10 per cent. of men going out of firms and 10 per cent. of new members entering firms. That would be 10,000*l.* a year revenue. The registration would be no cost to the Treasury or the Board of Trade at all.

705. Could you suggest any figure which would not much more than cover the actual cost?—I could not without knowing the number of firms, and as to that we are in, I think, almost complete ignorance.

706. As to the other fee for inspection. Is that more than sufficient, do you think?—The one shilling fee for search is common. If you go to the Registrar General's Office of Births, Deaths, and Marriages, and if you go to the Companies Registration Office, the fee is one shilling. But I have made an alternative suggestion there, that we should supply a copy by post on payment of one shilling, and in that case there would be no inspection fee.

707. But you think the one shilling would more than cover the expenses?—Yes. Here is a kind of form which we have for bank returns. It is printed, headed, and to make a copy you would only have to take one of these forms and put in the necessary part in manuscript.

708. Could you tell us what you think the actual cost would work out of sending these returns?—Less than one shilling, certainly. We should have copying clerks who would fill in those particulars. Such a return as is required under this Act would not, I suppose, take more than 10 minutes to make.

709. I was wondering what sort of profit the country make out of it?—If the five shillings fee is fixed, and the one shilling fee is charged for the copy, there will be a good deal of profit no doubt, whatever the number may be; but I cannot estimate it, I cannot attempt to fix the figure.

Mr. Cohen.

710. You said you thought it would be sufficient to confine the return to surnames. But how would it be possible to know the constitution of a firm, because with men going out and men coming in to the firm, are there not in your experience frequent changes of name?—Certainly.

711. Which could only be identified by the Christian name?—That is so; but if you required registration of Christian names in cases in which the Christian names are not given, you would practically require, I should say, 90 per cent. of all firms to register; and the question is whether it is worth while.

712. Take the case of the firm of John Jones and Sons?—That is a case in which the Christian name is frequently used, but such a firm would under the Bill have to register. But with firms consisting of people of different names, in nine cases out of ten no initial is used in the firm's name. The firm's name is confined to the surnames.

713. But when changes take place in a firm of the same name?—Then they make a return and it is open to the public to ascertain that there has been a change. They would have to make a fresh return under this Bill.

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Mr. CLEAVE.

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Mr. Cohen—continued.

714. Would they?—No, I beg your pardon, they would not; but then they never would have been liable to make a return.

Mr. Vicary Gibbs.

715. Let me put a case in illustration of Mr. Cohen's point. Take a firm like Henry S. King and Company or Antony Gibbs and Son. Imagine either of those firms disposing of their business to a man named King or Gibbs who had no relation whatever to the firm and with no capital. He could continue to treat as Antony Gibbs and Son or Henry King and Company because his name was King or Gibbs. Yet he would be holding out a credit to which he was not in the least entitled?—I think the firm of King and Sons would be liable to registration. The "and Sons" would be an addition within the meaning of Clause 4.

716. Suppose these partners to retire and sell their business to a man of the same surname, but with no connection with them and no capital, then, under this Bill, and according to your recommendation, that person would keep clean out of the operations of the Bill?—That is true if the surnames remain the same and both appear in the firm name. But "and Co." and "and Sons" would always entail registration. Then on the other hand, if you are going to require registration in cases in which the Christian names are not shown in the firm's name, you practically require every firm in the kingdom to register.

Mr. Cohen.

717. I accept that, but if you did not do so you would not deprive this Bill of a large portion of its intended advantages, as Mr. Gibbs has explained?—I have no mission here to speak on the policy of the Bill at all.

718. I am not speaking of the policy but of the expected results?—It is as you say, of course, in a case of that kind. If Jones and Jones are in business and one Jones goes out and another comes in, as long as they keep up the same name, both being their proper names, they would not require registration under the surname provision. That is perfectly true. But I think the requirements of a return, when the initials or Christian names are not used, is beset with so many inconveniences that it is doubtful whether you should adopt it.

Sir James Rankin.

719. You spoke just now of 200,000 firms?—Mr. Stubbs' representative said 260,000.

720. Is that the number of firms in existence, or the number of firms that would have to register under this Bill?—Messrs. Stubbs no doubt mean the number of firms that would have to register under this Bill. I had an estimate made based upon the firms in the London Directory only; and the figures that were got out showed about 20,000 firms in London which would have to register under this Bill.

721. It was said that there are 57,000 firms who pay income tax?—They make income tax returns. But then, of course, they do not make returns when they are exempted. For instance, unless the profits of the firm are sufficient to bring each partner 160*l.* a year, each partner can claim to be treated separately.

722. That is the cause of the great difference between the number of firms on the list paying

Sir James Rankin—continued.

income tax and Messrs. Stubbs' figures?—I do not put forward any figures at all myself; I cannot do it.

723. I suppose what you have been saying with regard to firms having the name of Jones and Sons would be of equal application to Jones Brothers?—I take it if it does not disclose the full name, whether surname or Christian name, then there will, under the Bill as it stands, have to be a return.

724. You mean in the case of brothers composing a firm each of the brother's names would have to be put down?—I should take it so, yes.

725. Would not that be almost equally the same with regard to So-and-So and Sons; because there might be many sons?—In the case of So-and-So and Sons, I take it they would have to make a return; because the full surname or Christian name would not be disclosed. If the names of both partners or of several partners is disclosed there would not be any requirement for registration.

Sir Seymour King.

726. You have alluded to a gentleman well-known at one time as a common informer with regard to companies; do not you think that was a public scandal?—Yes, certainly. The man I mean was afterwards sentenced to 12 months' hard labour.

727. And if we had the common informer introduced into this Bill we should multiply that class of individuals?—I would not expressly provide for the common informer except in the way it is done in Section 66 of the Companies Act. It gives power to the court to award part of the penalty.

728. Of course in the Companies Act it was a very small matter; but here, with anything like 200,000 firms, there would be a common informer industry in every district?—We have about 32,000 going companies on the Companies Registers now, and 30,000 dead.

729. You have no doubt your department could undertake the duties?—Yes. It is only a question of three or four, or four or five men. There is nothing in the work except distributing and filing.

730. Does the Law List include Scotch and Irish solicitors?—No, it is only England and Wales. There is a similar list in Ireland. I do not know whether there is in Scotland.

Mr. Vicary Gibbs.

731. Is the Law List an official publication?—Yes. It is published under 23 and 24 Victoria chapter 127, relating to solicitors.

732. You recognise the force of the objection put by Mr. Greene, that men might escape penalty who were solicitors for not disclosing their names if they chose to do so?—That is true.

733. But you do not think there would be many?—I do not think it is at all likely there would.

734. You also recommend the exemptions of bankers; will you tell me what constitutes a banker?—There is no definition of banker, I believe, in law; but the definition that we accept is a person receiving money to be accounted for on demand by cheque. I have the administration of the Bank Act and have had for many years, and there are money-lenders try to come

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Mr. CLEAVE.

[Continued.]

Mr. Vicary Gibbs—continued.

to us to register them as bankers; but I always resist it. They must be open to receive money from the public to be accounted for by a demand by means of cheque.

735. But no banker is obliged to receive money unless he feels inclined to?—That is so, of course. It is open to every man to refuse business; but unless he is open to receive money from the public to be accounted for on demand by means of a cheque he is not entitled to register as a banker. Many money-lenders from time to time endeavour to register. They like to be advertised in the "Gazette" as bankers.

736. Take the case of a firm which has 100,000*l.* of borrowed money on call at their houses, but which does not take money over the counter in the ordinary way; is that not a banker?—It is not held to be so under the Act I speak of, except they fall within the definition that I gave you.

737. Then the definition of a banker is a purely arbitrary one, not enforceable by any court, but is merely one which is made by your department for your convenience and for what it considers the public convenience?—We get all *bonâ fide* bankers making these returns. There is a penalty of 50*l.* if they do not.

738. Are there not cases in England of firms who do not choose to hold themselves forth as bankers, but which are practically bankers?—It is not altogether a question of their holding forth. If a firm carries on business as a banker, it is liable to make a return. These money-lenders want to make returns, but they are not held to be properly bankers.

Mr. Cohen.

739. You said bankers were liable to penalty?—Yes, for failure to make these returns under the Act of 7 & 8 Victoria, chapter 32.

740. Bankers are obliged by statute to make that return?—Certainly; private bankers. Bankers which are joint stock companies, if they make their returns under the Companies Act, are exempted from making this return under the Bank Act. But all private bankers carrying on business in England and Wales must make return under 7 & 8 Vict., c. 32. There are similar Acts for Scotland and Ireland.

Mr. Vicary Gibbs.

741. And yet you have no legal definition of what constitutes a banker?—There is a definition of one kind; it is in the Bank Charter Act—"who shall carry on the business of banking, whether by the issue of bank notes or otherwise." Then they are liable to a penalty, and a very heavy penalty for not making the return. It is 50*l.*

Sir Seymour King.

742. But there is no common informer?—No.

Mr. Vicary Gibbs.

743. We come now to the question of sur-name; I understand you to say that the best arrangement which occurs to you would have this effect—that a firm which called itself Jones Brothers would have to register, and a firm which called itself Jones, Jones and Jones would not have to register?—Yes.

Mr. Vicary Gibbs—continued.

744. Does that seem to you reasonable?—As I said, the only alternative is to make every firm register.

745. Do you think there is really any alternative to that, if you are to arrive at any satisfactory condition of things?—No, no satisfactory alternative. You must make a complete registration of all firms, I should say.

746. Now, as to the common informer; I understand you to say that you consider the best way, or the only practical way, of working this Act will be by the machinery of the common informer?—I say (I believe I speak the general official opinion) that no office could undertake the duties.

747. I am not at all disputing that?—I do not recommend the common informer. That is only an alternative which I mentioned.

748. But no other alternative occurs to you, for the moment, than that of a common informer for working the machinery if this Bill is to be effective?—No.

749. In fact, it seems to me, if this Bill is to be enforced, a common informer is almost essential to it; is not that so?—I would not go beyond this; I do not think any Government department can undertake it. I would rather not give any opinion beyond that.

750. Yet I understand you to say that if several people combined to work in the form of a company as common informers for the enforcement of this Bill, you would feel disposed to refuse registration to them because you would consider it such a mischievous thing?—No. In regard to this specific case I should not go that length, certainly; I would rather not state off-hand. The rule which covers that is, if a company is formed for any purpose which is contrary to law or public policy we should hesitate to register.

Chairman.

751. I understood that you, when you said you would not register, were referring to the case of a firm which expressed itself to have been formed for the purpose of levying blackmail?—Yes. I never meant anything beyond that. If I said anything to lead to the impression which Mr. Gibbs has, please let me withdraw it.

Mr. Vicary Gibbs.

752. Then I misunderstood you. I thought you said this, that if certain people said to themselves, "This Act will lead to splendid business as common informers all over the country: let us go into partnership as common informers, and work all over the country to develop this Act," that when they came to register that admirable proposal, you would decline, because you thought it was not in accordance with public policy?—No, I would not say that. I should be in doubt. I should refer the question to the Board of Trade and probably the Board of Trade would take the opinion of the law officers.

753. I now want to be clear as to what the effect of changes in a firm would be. You see that, according to the Bill, no firm can be registered except on the signatures of the firm?—It appears so in one of the earlier sections.

754. Let us take the case of a partner who has become imbecile and who is incapable of acting; what

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Mr. Cleave.

[Continued.]

Mr. Vicary Gibbs—continued.

what is the process to be?—I cannot tell you; I cannot attempt to tell you.

755. Have you any suggestion to make on such a point?—No, I have no suggestion to make.

756. Supposing there is a *bond fide* dispute between partners as to whether or not one of them is really a partner, and as you know in fact the line between a man who is a partner and a man who is not a partner is in certain cases a very fine line; so that it would be quite easy to be *bond fide* in error as to your position. Suppose Smith, of Smith and Jones, thinks they are in business together as partners, and Smith returns to you that the firm consists of John Smith and William Jones?—Then they must both sign.

757. But William Jones writes to you that he declines to sign?—Then we should not register unless both signed; there is no doubt about that.

758. It is in just such cases that it is in the interest of the public to know what the true position is; but they will not know it?—If they are not registered there is, beyond question, no means of informing the public. I should not register unless the form come to me properly and fully signed.

759. I suppose you have no reason to suppose that among honourable and respectable firms there is the least objection or unwillingness now to disclose the full names or Christian names, date of baptism, godfathers, or anything else that anyone is really concerned with?—I really do not know, I have no information.

760. And this Bill, I suppose, is only really to affect the public in the case of firms who habitually conceal who their partners are?—I have not thought about it. But those would be the only people to whom it would be at all inconvenient.

761. Of course it is not merely the names of people that are wanted by creditors, or those who do business with a firm, but it is the amount of money which these people have got?—Yes. That involves subsequent inquiry after registration, of course.

762. But that is the real object. You are not collecting a list of Christian names for creditors, for what a creditor really wants to know is what amount of credit he should give to the firm?—That is a matter for further enquiry.

763. Do you think it desirable that any penalty should appear in the Bill unless the intention of the Legislature is that that penalty should be enforced?—Then you will not get anybody to register if you do not impose some sort of penalty.

764. I am entirely in favour of imposing a penalty, but what I objected to was seeing a penalty which it appeared it was not contemplated really to enforce?—I have suggested a penalty not exceeding 40s. for a first offence, and then possibly a cumulative penalty on a second offence.

Mr. Monk.

765. Are you aware that the Select Committee of 1872 recommended that the Christian and surnames of all persons in a firm should be registered as well as their usual place of residence?—I was not aware of that.

Mr. Monk—continued.

766. Are you of opinion that that is desirable?—Do I understand you mean that the Christian names should appear in the firm name, and that wherever they do not they should register.

767. That whatever the firm may be, if the firm is Jones and Company, and there are three or four partners of that firm, the Christian and surnames of all the partners and their residences should be registered?—They would under this Bill, I take it.

768. You think that is desirable?—Yes, clearly.

769. With regard to the penalty clause, at present the fine is not exceeding one pound:—Per day. A cumulative penalty of a pound a day.

770. If it was not a strong case of course the magistrates might impose a small penalty?—Yes, sometimes a shilling, as they do under the Companies Act.

771. But do you think that that penalty of 40s. ought to be increased?—No; 40s. as a maximum, not 40s. a day.

772. That the whole penalty should not exceed 40s.?—Yes. For the first offence a penalty not exceeding 40s. I only throw that out as a suggestion.

773. You do not mean 40s. a day?—No, certainly not, but as a fixed maximum penalty.

774. If that offence continued for, we will say a month or two months, would you not have a cumulative penalty?—Yes, I have said so, in the case of a second offence.

Mr. Vicary Gibbs.

775. I want to ask you about the fee; do I understand you to say that the total cost to make this Bill effective in any one case would be 6s., as you calculate it, that is to say, 5s. to the person who registers the firm, and 1s. to the person who inquires?—Yes.

Mr. H. D. Greene.

776. And a fee for swearing the information—that the man would have to pay separately whether to a commissioner for oaths or in the police court.

Mr. Vicary Gibbs.

777. I wish to bring it to the concrete form: we cannot tell how many firms will avail themselves of this Act; but we ought to be able to arrive at what will be the cost of putting this Act into motion in each individual case: for getting any advantage out of this Act: one firm A. has to register its name, and another, B. comes and makes inquiries, what is the total cost of that business in that particular case. A. has to register his name, that is 5s.: now, then, what has B. to do besides?—A., in addition to the 5s., might have to pay one or more fees (according to the number of partners) to magistrates, &c., under Clause 6; B., under Clause 17 as it stands, would have to pay a varying amount. I could not tell you off-hand.

778. But that is, I think, a thing we ought to have?—I am afraid you will not be able to get it.

779. It is important to know how much it is worth, and whether it will cost more than it is worth or not; that is a thing we have to find out if we can?—Personally, I have no doubt a fee of 2s. 6d. would pay the expenses, but still I am not deputed to say that.

780. I am

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Mr. CLEAVE.

[Continued.]

Mr. Vicary Gibbs—continued.

780. I am very anxious, from someone, somehow to learn what the cost of this Bill will be in each particular case; what amount of money will have to be paid by the inquirer and by the person who furnishes the information; we ought to have that?—And if anybody is in a position to give it I ought to be, as I am Registrar of Joint Stock Companies, but I am sorry to say I am not.

Mr. Emmott.

781. We have had very clear evidence that the maximum scale of charges are so high or higher than necessary to work the Act?—A fee of 2s. 6d. would be sufficient, but I cannot give the precise amount.

Mr. Vicary Gibbs.

782. Five shillings has to be paid for registering your name; one shilling has to be paid for getting a copy of that register by a person who wants it, and then I hear something about swearing by Mr. Greene which is to cost something more. Now, are there any other charges that I do not know of?—The 1s. is not in the Bill. It is my suggested alteration. If a certified copy is wanted, there would, as I have stated, be a shilling stamp on a certified copy. But you cannot reckon in regard to any particular registration there will ever be any search on thousands of those returns. So that you cannot reckon on one shilling for searching as a certainty. In other cases there might be 50 or 100 searches of one return.

783. I am not doing that?—I understood you to add a shilling to the five shillings in each case.

784. No, not in each case. I want to get at any case in which this Bill would be of any use to anybody, and to find out what the cost of that piece of usefulness would be. John Smith is in partnership with James Jones; and somebody who trades with them wants to know whether James Jones is a partner, and he sends to you and gets a certified or uncertified copy of the return; now I want to know what is the cost of making the Act operative or useful in any particular case?—If you mean the cost to Government on a case of this kind you must have regard to fixed expenses, premises occupied, and various matters.

785. Not for what I want to know; what I want to know is what Mr. Smith will have to

Mr. Vicary Gibbs—continued.

pay for getting information about Smith and Jones?—One shilling.

786. Then you said something about swearing?—When making a return it has to be acknowledged before a magistrate or before a commissioner for oaths as provided in Clause 6; but I do not know whether there would be a separate fee for each partner acknowledging. But these are not fees under the Bill. They are what everyone has to pay who swears or makes a declaration.

787. This registration is generally not for the benefit of the firms themselves, but for the benefit of the public who trade with those firms, and do you think it is reasonable that the cost of registration should be five times the cost of inquiry. It seems to me rather unfair that so heavy a part of the expense should be proposed by the Bill to be borne by the person registered, and so little by the person getting the benefit of the Act?—You put it as if it were always a case of one registration one search. It may be a case of one registration and 50 or 100 searches. If a file is searched at all it will probably be searched a good many times. I am sorry I cannot give you any precise estimate as to what the cost would be in each particular case. I could not do it. We shall want additional space, and as a principle the Treasury always insist that they shall be on the safe side in respect of fees and cost of working.

788. I was not addressing myself to find out how much it would cost the Treasury, what I was concerned in was to see how much it would cost the individual to get the information?—Of course if there is a change every year in his firm he would have to pay his fee every year. But if he goes on for years it would be one fee to begin with only.

Chairman.

789. You made a suggestion as to omitting Christian names?—Yes.

790. But take a case where all the names, including Christian and surnames, are inserted, that might convey very little information to the public. Suppose a firm is registered under the name of Thomas Brown, John Smith, and James Jones. The public wants to know as to who those persons are just as much as if it was Jones and Company?—Certainly.

791. And yet those persons would be out of the operation?—They would escape, yes.

Mr. B. J. BRIDGEMAN; Examined.

Chairman.

792. I THINK you are a Solicitor, and were appointed in 1897 to the post of Superintendent of County Courts at the Treasury?—That is so.

793. And you attend here to-day as representing the County Court Department of the Treasury to give the view of that department on Section 18 of this Bill?—Yes.

794. What is the view taken by the department of that provision?—The department feels that any addition to the work of the county court registrar, unless it arises from the ordinary or special jurisdiction conferred upon county courts, is undesirable.

795. What is the reason for that?—It is owing

to the great growth of business in the county courts. I have some figures here, if I may be allowed to state them, as regards the ordinary jurisdiction. In the last 10 years the number of plaints issued from the Birmingham court have increased from 43,000 to nearly 60,000, and at the same time the judgment summonses have risen from 5,500 to 9,200. During the same period at Sheffield the increase in the number of plaints is from 20,000 to nearly 30,000, and in the judgment summonses from 2,000 to over 4,000. At Manchester the increase in the plaints is from 24,000 to nearly 30,000, and in the judgment summonses from 2,300 to 5,000. At Leeds

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Mr. BRIDGEMAN.

[Continued.]

Chairman—continued.

Leeds also there is an increase from 26,000 to 33,000 plaints, and from 7,300 to 13,500 judgment summonses. Those figures will perhaps be sufficient to show the increase of work in the provincial courts in connection with ordinary jurisdiction.

796. That, as I understand you, in the opinion of the department, renders it undesirable to impose upon them such duties as this Bill proposes to impose upon them?—Certainly—extraneous duties.

797. If the case for the Bill were established, have your department any suggestion to make as to the machinery best adapted for carrying out those objects?—I have no mandate from the Treasury to give evidence upon that point at all. Personally I think that the Inland Revenue Department would be the best department for carrying out the provisions of the Bill. They have their local officers and if local registries be necessary probably the local office of the Inland Revenue would be more convenient than the County Court Registry.

798. Would you have local registries at all?—The idea of the Treasury is that a local registry is not necessary. If a local registry be established, the reason for it I presume would be that it would be more convenient than a central registry in London. It might be thought that a central office in London would be inconvenient. Much of the registration will, however, be done through the post—nearly all of it, probably, and although one is struck with the convenience of a local county court, a little examination will probably show that it is only in a few cases that the convenience of the county court would be realised. It is presumed that a majority of cases in which registration will be really useful are cases of this kind:—Mr. A., trading at Manchester, receives an order from B. & Company, Birmingham. Before executing the order, Mr. A. would like to know who the people are who trade in Birmingham under the title of B. & Company. If he could step into the Manchester County Court and obtain those particulars, the usefulness of the local registry would be made out; but, on the contrary, he would have to write to the Birmingham registrar, and could as easily write to the Registrar of Joint Stock Companies in London.

799. So that your personal view is that if the object aimed at by the Bill is to be carried out, it would be better carried out by simply having a central registry?—By simply having a central registry.

800. Inquiries of which could be made through the post?—Through the post.

801. Is there any other point you wish to make any observation upon?—Only on the question of economy. It is considered that the central registry would be a good deal cheaper than establishing registries at the county courts. Registrars of county courts are, of course, solicitors, accustomed to be paid by fees, and fees which the Treasury think adequate are not always satisfactory to them. No fee has been suggested by the Bill for a county court registrar. The only analogous work that we know of is where a deed of arrangement is filed in the central office of the Supreme Court, and a copy is sent to the county court registrar,

Chairman—continued.

who files it. For the duty of keeping these copies in a bundle for reference he receives 7s. 6d. each from the Vote of the Supreme Court. The public pay him in addition for every search 2s. 6d., and for an office copy, per folio, 6d. Official receivers are allowed to search and take extracts without payment. The registry of county court judgments is in the Treasury, but is hardly an analogous case. It is a department with which I am familiar being under my control. Every judgment for 10*l.* or upwards is registered at the Treasury. There is no local search office for judgments, and probably there are not more than 100 searches at the Treasury in 12 months. The cost of the department is really paid by a composition for fees for searches received from a mercantile agency and amounting to about 500*l.* a year. The majority of the trading public who require information are probably subscribers to this or some other mercantile agency.

802. If I understand you rightly, you suggest if you had a central registry the diffusion of information locally would be effected through such a mercantile enterprise?—I think it is obvious that it would.

803. And that leads you to the opinion that the local registry is not really wanted?—It helps one to that opinion; it is not the only or principal reason.

Mr. H. D. Greene.

804. Then this Bill would assist largely the trade agencies; would help to get information centred in London?—The information is so interesting and useful that I think they would avail themselves of the registry and pay what ever was necessary.

Mr. Emmott.

805. You are speaking, of course, entirely from the point of view of the Treasury?—Entirely.

806. You do not know that county court registrars themselves have any objection to undertaking these duties?—I have no information at all from them.

807. And you do not know whether there would be any difficulty in their organising their work so as to have it done satisfactorily and well?—No, I cannot say that.

808. For the most part they are solicitors of course?—Yes, they are all solicitors, I believe.

809. And many of them with considerable offices and a great many other duties: a good deal of this work would be mere clerical work that they could have done satisfactorily?—In the smaller places they practice, but in the larger places I think they are prohibited from practising. My evidence relates more to the large provincial courts. I have mentioned some of the largest—Birmingham, Manchester, Leeds, Liverpool, and Sheffield.

810. You do not suggest that your evidence would apply to more than six or eight towns in the United Kingdom?—I think it would. I think it applies probably to 50 of the county courts out of 500. I think there are quite 50 towns in which county courts have been erected at the cost of the public.

811. My own constituency is, I think, about the thirteenth town in the United Kingdom

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Mr. BRIDGEMAN.

[Continued.]

Mr. *Emmott*—continued.

and the registrar is certainly a solicitor and a member of a firm of solicitors, and I do not think he is tied to that work?—It may be so; as to the preclusion from practice my evidence certainly only applies to a few courts.

812. You are aware, I daresay, that you have stated a view very different from that which was given by a gentleman, holding the same office that you hold, in 1872?—I am sorry to say I do not know at all what evidence was given then, nor do I know what the case for this section of the Bill is.

Sir *James Rankin*.

813. Do you think that the particulars which would be collected and registered if this Bill is

Sir *James Rankin*—continued.

put into force would be such as to afford the inquirers themselves a great deal more information, for the benefit of their clients, than they can at present obtain?—Undoubtedly.

814. So that it would be worth while to put this Bill into operation notwithstanding the trouble it would put various trading firms to all over the country?—I think so.

Sir *Seymour King*.

815. If your suggestion is adopted and one central registry is established, the cost will be much less?—The cost will be certainly less.

816. And if so the fee under the Act could be very largely reduced?—Quite so.

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A P P E N D I X.

APPENDIX, No. 1.

PAPER handed in by the *Chairman*.

Incorporated Law Society of Liverpool,
41, Castle Street, Liverpool, 11 June 1900.

Dear Sir,
At the request of the Chairman of the Select Committee on this Bill, I have the pleasure to enclose six prints of the Report of my Committee.

If the Select Committee desire any explanations or further information my Committee will be happy to render any assistance in their power.

I am, &c.
(signed) *Percy D. O'Dell*,
Hon. Secretary.

The Clerk to the Select Committee on the Registration
of Firms Bill, House of Commons, London.

Report of the Committee of the Incorporated Law Society of Liverpool.

The Committee approve the principle and object of the Bill. Some of its provisions, however, owing to the ambiguous language in which they are framed, appear to be calculated to give rise to serious difficulties in practice. In order to remove these ambiguities and facilitate the attainment of the object aimed at, the Committee submit the following suggestions :—

Clause 3, line 17.—The Committee are of opinion that the Bill should include persons practising professions as well as persons carrying on business. If an amendment to this effect is adopted, a number of consequential verbal amendments should be made.

Clause 4, page 2, line 1.—Omit the words “ or the usual.” It is not clear to what these words are intended to apply.

Clause 4, page 2, line 2.—Omit the words “ or all the acting partners.” The presence of these words renders the clause ambiguous, as it is uncertain whether the provisions for registration are to apply where the names of all the acting partners appear in the firm's name, but not the names of any sleeping partners. Moreover, it is considered advisable that, in order to accomplish the object of the Bill, the names of all sleeping partners as well as those of acting partners should be disclosed.

Clauses 6 and 7.—It would in many cases be extremely difficult, if not impracticable, to get a document signed by all the partners of a firm within one month or even a much longer period. There are many mercantile houses consisting of partners resident in different parts of the world, and many months would be expended in obtaining the signatures of all the partners to a single document. On the other hand, it is recognised that it is important that the name of a person should not be registered as a partner without proof that he is in fact a partner. This difficulty might be met by providing that any one partner may sign the statement, but that the Registrar shall have power (whenever he thinks it expedient) to require evidence, *e.g.*, by the production of Articles of Partnership that both or all the persons named therein as carrying on the business are in fact partners.

Clause 8.—This clause, in its present form, would give rise to difficulties, *e.g.* :—

- (1.) It might be held to prevent an individual member of a firm from writing a letter in his own name on the business of the firm, yet this is frequently done with, it is submitted, no harmful result. A member of a firm of solicitors, for example, receives from clients letters addressed to himself personally; and his correspondent expects that the reply—especially when his (or her) business is of a private nature—shall be written by the individual partner, and not by the firm.
- (2.) The clause appears to make it obligatory to use the full name of the firm in all cases, whereas in practice an abbreviation of the name is frequently used for the purpose of signature, *e.g.*, where three or more names constitute the style of the firm, two or even one name with the words “ & Co.” are used.
- (3.) There should be liberty for a person or a firm to carry on business in more than one name. Whether this can be done under the Bill as it stands is uncertain. There are many firms who now carry on business at different establishments under different names, and it is not understood that it is intended to alter this practice. Mercantile houses, for example, frequently have a different name at each different business centre at which they have an establishment, and great convenience is found to arise from such an arrangement.
- (4.) Again, when a firm buys up the business of another firm, it frequently continues such business in the old name, for a time at least, and there is no reason why it should not be at liberty to do so.

Clause 9.—It appears from Form C in the Schedule that it is contemplated that if a new name is adopted by a person or partnership, the old name shall be abandoned. If, however, the suggestion which has been made that a firm should be at liberty to carry on business in more than one name be adopted, the Form in the Schedule should be altered so as not to imply an obligation to abandon an old name when registering a new name.

By the clause as it stands, the members of the firm, as reconstituted, are alone authorised to register a change in the constitution of a firm. Similar power should be given also to a retiring partner, for it will be in most cases more important for his protection than for any purpose of the remaining partners that the fact of his retirement should be registered.

If the modifications suggested above, in Clauses 6 and 7, be adopted, the same modifications should be applied to this clause.

Clause 13.—It is suggested :—

- (1.) That a fine should be provided as an alternative to imprisonment with hard labour ; and
- (2.) That power should be given to the Magistrates to deal with any case in a summary manner when the person charged consents to that course being adopted.

Clause 14.—The Certificate of Registration, which has to be sent to the firm, should contain all the particulars comprised in the statement referred to in Clause 5, for the purpose of evidence, as provided in Clause 17.

Clause 15, page 4, line 1.—Before the word “firms” insert “trade-names,” in order to make the index as useful as possible.

Clause 18.—This clause should provide that the Abstract to be sent to the Registrars of the County Courts, &c., should contain all the particulars contained in the Statement filed with the Registrar, so that inspection of the Abstract may give the same information as inspection of the Register. A provision should also be added similar to the last paragraph of Clause 17, making a certified copy of the Abstract issued by the Registrar of the County Court *prima facie* evidence.

In order that the Act may not prove a dead letter by reason of the absence of any provision for enforcing it, it is suggested that the Board of Trade, or some other Government department, should have the duty assigned to it of assuring, as far as possible, that registration is effected in all cases where it is required by the Act, with power to take proceedings against defaulters under Clause 11.

Liverpool, 31 May 1900.

APPENDIX, No. 2.

PAPER handed in by the *Chairman*.

The Birmingham Law Society, Founded 1818. Incorporated 1870.

Wellington Passage, Bennett's Hill, Birmingham,
9 June 1900.

Sir,
REFERRING to your letter of the 28th ultimo, I have the honour to send you herewith the observations of my Committee upon this Bill.

I take this opportunity of thanking the Chairman of the Select Committee for his courtesy in giving this Society the opportunity of offering to the Select Committee its observations on the Bill.

I am, &c.
(signed) *Walter Barrow*, Hon. Sec.

The Clerk to the Select Committee on the
Registration of Firms Bill, House of Commons, S.W.

OBSERVATIONS of the Committee of the BIRMINGHAM LAW SOCIETY.

The Committee approve of the main object and principle of the Bill which they consider is likely to be of service to the trading community. They venture, however, to offer the following criticisms as to detail :—

Clause 4, page 2, line 1.

It is not quite clear whether "full names" means the Christian names as well as the surnames of each partner. If it does, practically every firm would have to register, as hardly any firm carries on business under a style which includes the Christian names of its partners. The intention of the Bill should be made clear on this point.

Clause 7, page 2, line 37.

Considering the great number of firms which would have to register, it is submitted that the time allowed is too short, and that "three months" should be substituted for "one month."

Clause 9, page 3.

It is suggested that the trouble and expense which is now caused on the retirement of a partner by notice having to be given in the "London Gazette," and to persons dealing with the firm, might be obviated by making notice to the Registrar for this purpose notice to all the world. The Bill would thus confer a benefit on firms as some return for the additional trouble given to them. The Committee suggest the addition of some such words as the following :—

Notice to the Registrar that a person has ceased to be a member of a registered firm shall have the same effect as regards creditors of the firm and others as if express notice of the change had been given to all persons affected by means of the "London Gazette" by circular or otherwise.

Clause 12, page 3, line 20.

To make the meaning clearer, insert after the word "or" the words "commences any proceedings."
Add to end of clause the words "on such terms as to costs or otherwise as he may think fit."

Clause 17, page 4, line 23.

After the word "registrar" add the words "or other the official mentioned in Section 18." It is clearly intended that the County Court Registrars and other officials should have the power to certify copies.

Clause 20, page 5, line 22.

After the word "firms" add the word "persons."

APPENDIX, No. 3.

PAPER handed in by the *Chairman*.

The Incorporated Law Society of Ireland, Solicitors Buildings, Four Courts, Dublin

Sir,

8 June 1900.

In reply to your letter of the 28th ultimo, I beg to enclose you observations on the Registration of Firms Bill by the Council of this Society.

The Clerk to the Select Committee on the Registration
of Firms Bill, House of Commons, London.

I am, &c.
(signed) *Wm. Geo. Wakely*,
Secretary.

OBSERVATIONS on the Bill by the Council of the Incorporated Law Society of Ireland.

The Council of the Incorporated Law Society of Ireland have considered this Bill, and approve generally of its provisions so far as they go. The Council conclude that the definition of the word "firm" would make the Bill applicable to the solicitors' profession, and no objection is seen to its being made so.

The Council would respectfully submit that the Bill should be amended in the following respects :—

Clause 12.—This clause should be so altered as to provide in addition to its provisions as drafted that if a firm is defendant in an action and is in default, the Court should have power to order the firm or person in default to send or deliver to the Registrar the proper statement, and might also have power to strike out the defence of the firm to the action, unless the order be complied with, within a time limited.

The powers under this clause should also be made exerciseable by a County Court Judge in County Court proceedings.

Clause 15.—Page 4, line 1. After the word "register" insert the words "classified according to the nature of the business registered."

This amendment would greatly facilitate searches.

(signed on behalf of the Council) *Wm. Geo. Wakely*,
Secretary

Solicitors Buildings, Four Courts, Dublin,
6 June 1900.

APPENDIX, No. 4.

PAPER handed in by the *Chairman*.

Sir,

Edinburgh, 23, Queen Street, Wednesday, 13 June 1900.

YOUR letter of the 28th ultimo, addressed to the President of the Society of Writers to the Signet, has been handed to me. I have not been able to have a meeting of the Society to consider the Registration of Firms Bill but I have had a talk with some of the office-bearers in regard to it.

I do not fully appreciate the object of the Bill or the evils which it is intended to remedy, but I presume the necessity for registration of firms applies mainly to firms of a mercantile or trading character. In that view I have nothing to suggest in regard to it, but it appears to me that the provisions of the Bill would not be suitable for firms carrying on business as solicitors or law agents. I am not aware of any necessity for such a Bill in regard to such firms, and I would point out specially that Section 8 of the Bill, by which it is provided that the name of any firm or person registered under the Act shall be used in all matters connected with or relating to the business carried on by such firm or person, would be most inconvenient if applicable to firms of solicitors. In a solicitor's business it is the usual practice that different partners of a firm attend to separate branches of the business, and may carry on the correspondence in regard to such branches, either with their own clients or others, either in their individual names or in the name of the firm. The proposal, therefore, that in all matters relating to the firm's business the name of the firm should be used, would be most inconvenient and unworkable.

I would suggest, therefore, that it should be made clear that the Bill does not apply to firms of solicitors; or, if it is intended so to apply, that Section 8 at least should be considerably modified.

Looking to the provisions of the Stamp Act of 1891, making it incumbent on any one practising as a solicitor or law agent to take out a duly stamped certificate, which is entered in the Stamp Office Official Lists, any further registration appears unnecessary.

To the Clerk to the Select Committee
on the Registration of Firms Bill,
House of Commons, London.

I am, &c.
(signed) *Charles B. Logan*,
Deputy Keeper of the Signet.

APPENDIX, No. 5.

PAPER handed in by Mr. *Emmott*, M.P.

Sir,
I BEG, as President of the Association of County Court Registrars, to be allowed to point out to you as promoting the Bill now before Parliament for the Registration of Firms, the desirability of making some provision in it by which, in England, the registration of firms of a comparatively unimportant character, where the partners are persons without legal knowledge and of inferior education, may be more easily and correctly effected.

County Court Offices, Walsall, 17 May 1900.

Under the Bill it is proposed that an abstract of every registration shall be transmitted to the County Court of the district in which the place of business of the firm is situated, but if it were also provided that any registration might be made in the first instance at the office of such court at the option of the firm registering, greater facilities would be given for the working of the Bill than now exist in it.

Without some legal assistance it is, I think, certain that correct returns in many cases would not be made, as the persons registering such firms as I have referred to would not be aware what would constitute a partnership, and what names should consequently be included in the particulars to be furnished on registration.

Explanations by the central office would no doubt be given, but even with this help much correspondence must take place, and a reference by the applicant to some local officer would at last become necessary.

If such a method of registration as I have suggested were adopted, it would of course be the duty of the County Court Registrar to transmit all the particulars to the central officer for registration there.

I may add that from many years acquaintance with the trading firms of the district of the court of which I am Registrar and of other manufacturing districts, I feel certain that in a very large number of cases trade-names are used by persons who could not possibly be expected to make the returns required by the Bill without assistance

Alfred Emmott, Esq., M.P.,
House of Commons,
London, S W.

I am, &c.
(signed) F. F. Clark.

APPENDIX, No. 6

PAPER handed in by the *Chairman*.

Sir,

Law Institution, Chancery Lane, W.C., 22 June 1900.

REFERRING to your letter of the 28th ult., the only observations which the Incorporated Law Society have to offer upon the provisions of the Registration of Firms Bill are the following:—

It is not quite clear whether the Bill is intended to apply to professions. It is apprehended that it is not; but with regard to solicitors it is to be remarked that all the evidence necessary to ascertain the members of any firm is to be found from the Roll of Solicitors, which is open to the inspection of everybody free of charge, and the Law List.

With regard to Clause 4, the Society do not understand why a firm disclosing only the names of the acting partners should be exempt from registration. It would seem to them that firms should register which do not disclose the full or usual names of all partners.

Clause 6 the Society consider might cause considerable inconvenience, if some of the parties are abroad, and they would suggest that when any of the partners are not within the United Kingdom the Registrar should register, upon a statutory declaration of any one partner, accompanied by such other evidence as he may think necessary; and with regard to Clause 7 they also consider that to require registration before commencing business might cause considerable inconvenience, and they would suggest that in all cases it shall be considered that registration is sufficient, if registered within one month.

Clause 8 the Society consider should be omitted. The Act is only intended to provide for registration of partnerships, and not to effect any change in the law of partnership. This clause cannot be necessary, and might cause serious questions to arise.

In Clause 15 the Society would suggest that the index should be one of all trade names, as well as all firms and persons.

The Clerk to the Committee
on the Registration of Firms Bill,
House of Commons, S.W.

I am, &c.
(signed) *E. W. Williamson*,
Secretary

APPENDIX, No. 7.

PAPER handed in by the *Chairman*.

Faculty of Procurators,

54, West Nile Street, Glasgow, 19 June 1900.

Sir,

YOUR letter of the 28th May last, addressed to the Dean of Faculty, was forwarded to me, and submitted to a meeting of the Parliamentary Bills Committee of Faculty held on the 4th inst. A sub-committee of the Bills Committee of Faculty was then appointed to explain more fully the objection of the Faculty to the Bill, as stated in the report on a similar Bill of this and previous sessions of Parliament. Through pressure of business, the members of the sub-committee are not yet in a position to complete their report, but they have requested me to write you placing before you, for the benefit of the Special Committee of the House, the following points of detail to explain the report on the previous Bills.

1. The law of partnership is contained in the Partnership Act of 1890, 53 & 54 Vict. Cap. 39. This is a codifying Act, and the first section defines partnership, and the second section the rules for determining the existence of partnership. Section 4 defines a "firm," and explains what a "firm name" is. Sub-section (2), Section 4, enacts that in Scotland a firm is a legal person, distinct from the partners of whom it is composed, and provides that an individual partner may be charged in a decree or diligence directed against the firm.

2. The Bill starts with a new definition of "firm" and of "trade name." The definitions in the Bill in any case should be made to correspond with those in the Partnership Act. Under the Act all persons carrying on business in partnership or not in their own name, will require to register in the manner and particulars contained in Clause 5. The promoters of the Bill, in making such suggestion, can scarcely have taken fully into account the enormous extent to which the principle of partnership permeates all the business of the country, nor the fact that by far the greater number of partnerships in the country are constituted either verbally by the partners, or by the acts and deeds of the partners, and not in writing. The promoters may have rightly calculated that the vast majority of business conducted by the middle class would require to be registered under the Act, but they can scarcely have taken into account the fact that partnership is of everyday occurrence among the working and labouring classes, thus almost all the fishing, in Scotland at least, is carried on by boats' crews in partnership, under the name, as a rule, of the master. In shipbuilding and engineering a very large proportion of the work done is done in squads, the members of which are all partners, under the name of the leader or foreman of the squad. In railway construction the same usage applies, and in fact throughout all the industries of the country, wherever there is piece-work, the principle of partnership is of universal application. Again, in home industries family partnerships are exceedingly common, especially in the tailoring, dressmaking, and kindred trades, where the household work is carried on under the name of the head of the family.

In all these cases there are partners, and the law applies to them precisely in the same way as if they were engaged in large commercial undertakings, and in all cases under the Bill every member of these partnerships would require to register, and the effects of failing to register would be absolutely ruinous to the members, and also make it practically impossible for the rights of the various members in the partnership being determined by courts of law, *inter se*.

Further, such partnerships frequently exist only for a week or a month, or other short period, and registration under the Bill, if enacted, would be a practical impossibility. In commercial concerns also, temporary partnerships for specific purposes are very common. These are invariably under a name which does not embrace the names of all the partners, and registration would be required, although such partnership may not exist for more than twenty-four hours.

The annoyance and inconvenience to the public of such provisions would be intolerable. It seems scarcely possible to expect that all the population who carry on business in one way or another as partners could be educated up to the point of understanding that they must register in every case where they enter into a partnership arrangement.

3. The Bill provides that the registrars of joint stock companies shall be the registrars of firms. It is to be assumed that the present staffs of these registrars are not more than sufficient for the work they have at present to do. As will be seen from what is stated above, an enormous amount of new work, incalculably larger than what they have at present to deal with, would be thrown upon their hands. This could only be dealt with by a very large increase in the registrars' staffs.

4. The Committee are not aware that there has been any demand for the enactment of this Bill, except possibly by debts recovery agencies, to whom, no doubt, such a system of registration, if carried out, would be a slight assistance. The cases in which a trade name is assumed to avoid liability are very few in number. In Scotland the assumption of a trade name does not avoid liability. In practice there is no difficulty in obtaining, without much trouble and expense, all the information that would be afforded by the registration contemplated. If sellers and others deal with a firm in the sense of the Bill, they always have it in their hands, before they do business to inquire who the partners are, and they can easily stop dealing with firms who conceal their partners.

5. With reference to some of the clauses in the Bill, Clause 8 provides that the firm name is to be used in all matters connected with or relating to the business carried on by the firm or person. This would make it illegal for the firm to authenticate telegrams by adhibiting its telegraphic address. It would also make it illegal for a firm with a long name signing the first name with the addition of "& Co.," which is very common, and also letters being written by and to partners of a firm about the firm business. Again, one month is provided as the time within which a new firm or a change of firm must be registered. Even in the case of large commercial concerns this is too short a time, in view of the penalties attached, and of the probable general ignorance of the Act amongst the vast majority of those who would be affected, and besides, it would be unworkable in the case of partnerships with a firm name existing for only a very short period, and perhaps changing its membership from week to week or month to month.

No doubt the sub-committee, when they report, will criticise the Bill, should there be any prospect of its being enacted, at greater length, but perhaps the above may be sufficient, on consideration, to lead the Special Committee to very seriously consider whether it is desirable to change and add to the law of partnership in the manner proposed. In the case of joint stock companies under the Companies Acts, there is a meaning in registration, because in that case, by registration liability is limited. In the case of ordinary partnerships there is unlimited liability by the partners to the public, and if they are to be registered, then the liability of the partners should be limited in the same way as the partners of joint stock companies under the Companies Acts. One effect, obviously, of such legislation would be that almost all concerns would get registered under the Companies Acts, as thereby the partners would limit their liability, and they would have no more trouble, annoyance, and expense, than if they were trading as ordinary partners under the provisions of this Bill.

The Clerk to the Select Committee
on the Registration of Firms Bill,
Committee Office, House of Commons, Westminster.

I am, &c.
(signed) *J. Guthrie Smith,*
Clerk.

APPENDIX, No. 8.

PAPER handed in by the *Chairman*.

Manchester Incorporated Law Association. Instituted 1838. Incorporated 1871.

Sir, Manchester, 18 June 1900.
As requested in your letter of the 28th ultimo, I have the pleasure to enclose a copy of the report of my committee on the above Bill, which I will thank you to lay before the Select Committee.

The Clerk to the Select Committee
on the Registration of Firms Bill,
House of Commons.

I remain, &c.
(signed) *John Bury*,
Hon. Sec.

REPORT OF THE COMMITTEE.

The committee entirely approve of the principle and objects of this Bill. They submit to the Select Committee the following suggestions for its amendment:—

I. Clause 3.—The committee consider it doubtful whether the Bill, as framed, extends to the partnerships to professional men, *e.g.*, solicitors and medical men carrying on business in partnership, under styles other than those of the full names of the partners. They consider it desirable that the Bill should be expressly made so to extend, and that all consequential amendments should be made.

II. Clause 4.—It should be made clear that the names of all dormant partners should be disclosed, as well as those of all acting partners.

III. Clauses 6, 7, and 9.—It would in many cases be difficult and impracticable for all the partners in a firm to complete the required declarations within the time limited, especially in the case of partners residing abroad. The committee agree with the suggestions of the Liverpool Law Society as to the best method of dealing with this difficulty.

IV. Clause 8.—The committee are of opinion that this section should be eliminated, for the reasons given in the report of the Liverpool Law Society.

V. Clause 18.—The committee also agree that a certified copy of the Abstract issued by the County Court Registrar, should be *prima facie* evidence in all courts, and also that to some Government department should be assigned the duty of enforcing the provisions of the Act, to prevent so far as possible the intervention of the common informer.

18 June 1900.

APPENDIX, No. 9

PAPER handed in by the *Chairman*.

Dear Sir,

Advocates' Library, Edinburgh, 26 June 1900.

THE Faculty of Advocates, at their meeting held to day, considered and adopted the report of the Committee on the Registration of Firms Bill. By direction of the Faculty I send you copies of the Report.

The Clerk to the Select Committee
on the Registration of Firms Bill.

I am, &c.
(signed) J. T. Clark,
Clerk of Faculty.

REPORT of the Committee of the Faculty of Advocates on the Registration of Firms Bill.

Committee.

Mr. R. V. Campbell.
Mr. J. C. Lorimer.
Mr. J. M. Lees.
Mr. W. C. Smith.
Mr. L. T. Napier.

Mr. R. T. Younger.
Mr. J. W. Brodie-Innes.
Mr. H. Aitken.
Mr. W. M. Gloag.
Mr. A. J. Alison.

Mr. Lorimer, Convener.

The leading proposals of this Bill are that partnerships whose firm names do not disclose all the partners full or usual names, and individuals trading under other than their full or usual names, should be registered; that the register should disclose the full name, residence, and occupation of the partners or traders in addition to the trade name and the general nature and place of business; and that changes in the constitution and trade name of registered firms should be registered; further, that registration should be enforced by a penalty of one pound per day for default in registering.

Proposals of this nature have been frequently made in Bills during the last 30 years, and in 1872 a Select Committee of the House of Commons was appointed to inquire into the practicability of a registration of trade partnerships, and into the best means of effecting such registration. Mr. C. M. Norwood, M.P. for Hull, a merchant and shipowner there, was chairman, and the Committee reported that it was expedient that the real constitution of all firms should be known, and that it was practicable to effect that object by a system of compulsory registration.

The evidence of mercantile, banking, and legal witnesses taken before the Committee shows that there was a diversity of opinion, but a preponderance in favour of the proposals.

A prominent reason in support of the scheme was the necessity, in suing a firm, of calling the individual partners, and the difficulty and delay experienced in finding them out, such delay sometimes amounting to a denial of justice. It is to be observed that this inconvenience does not exist in Scotland, where the firm may be sued (as it may sue) without naming or citing the partners; and that it might be obviated in England by the adoption of the Scots Law principle of the separate *persona* of the firm. The point is clearly brought out in the Partnership Act, 1890, section 4, which explains the "meaning of firm" as follows:—

"4. (1) Persons who have entered into partnership with one another are, for the purposes of this Act, called collectively a firm, and the name under which their business is carried on is called the firm name.

"(2) In Scotland a firm is a legal person distinct from the partners of whom it is composed, but an individual partner may be charged on a decree or diligence directed against the firm, and on payment of the debts, is entitled to relief *pro rata* from the firm and its other members."

On this subject, the ex-Master of the Rolls, Lord Lindley, in his Treatise on Partnership (6th edition, p. 4), makes the following pertinent observations:—"One feature peculiar to the English Law of Partnership and distinguishing it from the laws of other European countries and of Scotland, was the persistency with which the firm, as distinguished from the partners composing it, was ignored both at law and in equity. . . . This non-recognition of the firm was a defect in the law of partnership, and it is to be regretted that the Partnership Act has not gone further than it has in the direction of assimilating the English law to the Scotch. Had it done so, the difficulties of suing and being sued, and of dealing with partners abroad, would have been greatly diminished."

It would seem that an enactment similar to Section 4 (2) of the Partnership Act would remove any difficulty on this score in England; and it might be passed, if so desired, under reservation of the rules of bankruptcy in England.

The desirability of traders knowing with whom they deal, and the inexpediency of allowing persons possibly of inferior credit to hide themselves behind high-sounding names, with similar considerations, are the other reasons urged for the registration of the names of partners.

The Committee are unanimous in thinking that the scheme is unnecessary. The information can, if wanted, be got by asking it before any serious commitment in business is made. Further, in the case of Government contractors, or such like, which it is believed is the immediate cause of this movement being revived, it is easy to stipulate that contractors must all disclose their individual names before being placed on the list or becoming eligible for contracts. Considering also the immense multitude of persons trading jointly in the United Kingdom,

whether in town, village, or country district, and many of them in a small or occasional way of business, the Committee think the scheme would probably cause new evils, and be found vexatious as well as cumbrous, for every change in the *personnel* of a firm would require to be registered under penalty for even accidental omission. To keep up a complete and reliable register would be found impracticable. And it is to be observed that the mere disclosure of names and addresses of partners might not in many or perhaps most cases supply the real information desired, viz. the extent to which the credit of the firm or trader may be trusted. This information is in practice obtained in a more or less reliable form from various trade agencies, which also report when required the names, so far as known, of those engaged in the business.

The Committee do not consider it necessary to criticise in detail the language of the Bill of which they do not approve ; but if it is to proceed, and be applicable to Scotland, care will require to be taken to adapt the phraseology so as to be appropriate to Scotland.

Advocates' Library,
26 June 1900.

In name of the Committee,
J. Campbell Lorimer,
Convener.

APPENDIX, No. 10.

PAPER handed in by the *Chairman*.

Sir,

General Council of the Bar,
2, Hare Court, Temple, 27 June 1900.

REFERRING to your letter of the 28th ult., and to my reply of the 29th ult., I now have the honour to enclose a Report by the General Council of the Bar upon the Registration of Firms Bill, together with the copy of the amended Bill referred to in such Report, and to request that you will be so good as to bring the same to the notice of the Chairman of the Select Committee. I may add that I shall be pleased to transmit to you further copies of the Report, should such be desired.

The Clerk to the
Select Committee on the Registration of Firms Bill,
House of Commons, S.W

I am, &c.
(signed) *Henry C. A. Bingley*,
Secretary.

GENERAL COUNCIL OF THE BAR.

REPORT UPON THE REGISTRATION OF FIRMS BILL.

The Council have considered the Bill on which the Chairman of the Select Committee of the House of Commons was pleased to invite observations from the Council.

The measure is one of importance, proposing that all firms carrying on business under a trade-name or style not consisting of the full names of all the partners, should register in the United Kingdom the names of the person or persons carrying on or intending to carry on the business, and from time to time the names of any persons joining the firm, as well as the place or places at which the firm carries on business.

The Council entirely approve of the principle of the Bill. On the provisions of the Bill, they think that attention should be called to the following matters:—

Section 3.—Definition of the word "Firm." As defined this word would include two or more persons carrying out a single joint transaction with a view of profit. Thus two persons purchasing shares on the Stock Exchange for joint account in order to resell them at a profit might constitute a "Firm." Again, two dealers at a fair buying a horse on joint account in order to resell it at a profit might constitute a "Firm," and many other illustrations could be given. It is presumed that it is not intended to include within the provisions of the Bill persons entering upon or carrying out such isolated transactions.

Sections 3 and 4.—As set forth in the Bill it is not clear whether the names of sleeping partners must be registered. In the opinion of the Council it is desirable to register such names.

Section 5 (e).—This clause would be made more clear by some verbal alterations.

Section 7.—This section is not happily expressed and requires recasting. In the opinion of the Council this section should precede Sections 5 and 6.

Section 8.—There appears to be no provision in the Bill for enforcing this section. No penalties are inflicted for a breach of this section.

Section 10.—Should provide for a change in the trade-name of a person trading under a trade-name.

The recital should be struck out and the title amended.

The Council have amended a copy of the Bill in accordance with the above views, and beg to forward this copy of the amended Bill, together with this Report, to the Chairman of the Select Committee of the House of Commons.

25 June 1900.

REGISTRATION OF FIRMS BILL.

ARRANGEMENT OF CLAUSES.

Clause.

1. Short title.
2. Commencement of Act.
3. Interpretation of terms.
4. Firms and persons to be registered.
5. Manner and particulars of registration.
6. Particulars to be written by persons registering, and to be attested.
7. Time for registration.
8. Registered name always to be used.
9. Registration of changes in firm.
10. Re-registrations on change of trade-name.
11. Penalty for default in registration.
12. Persons in default bringing action shall be ordered by court to register.
13. Making false returns under this Act to be misdemeanour.

Clause.

14. Registrar to file statement and issue certificate of registration.
 15. Register and index to be kept.
 16. Registrar of joint stock companies to be registrar under this Act.
 17. Inspection of statements registered.
 18. Abstract of statements to be sent in certain cases to county courts, sheriffs' courts, and civil bill courts.
 19. Power for Board of Trade to make rules.
 20. Power for Board of Trade to appoint additional officers.
 21. Remuneration for additional duties of registrar.
 22. Application of fees.
 23. Forms.
- SCHEDULE.

A.D. 1900.

A BILL for the REGISTRATION of FIRMS and of Persons carrying on business under names or styles other than their own.

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Short title.

1. This Act may be cited for all purposes as the Registration of Firms Act, 1900.

Commencement of Act.

2. This Act shall come into operation on the 1st day of January 1901, which date is herein-after referred to as the commencement of this Act.

Interpretation of terms.

3. In the construction of this Act the following words and expressions shall have the meanings in this section assigned to them, unless there be something in the subject or context repugnant to such construction:—

"Firm" shall mean any two or more persons lawfully associated for the purpose of carrying on business, common with a view of profit under a trade-name, but shall not include a company incorporated by or in pursuance of any Act of Parliament, Letters Patent, or Royal Charter:

"Trade-name" shall mean the name or style under which any business purports to be carried on, whether in partnership or otherwise:

"Prescribed" shall mean prescribed by rules made in pursuance of this Act:

"Usual name" shall include a signature habitually used for business purposes.

Firms and persons to be registered.

4. From and after the commencement of this Act—

(a.) Every firm carrying on or intending to carry on business or having any place of business in the United Kingdom, under a trade-name which does not consist of the full or the usual names of all the partners without any addition;

(b.) Every person carrying on business or having any place of business in the United Kingdom, under a trade-name consisting of or containing any name or addition other than the full or the usual name of that person;

shall register in the manner directed by this Act the name under which their or his business is or is intended to be carried on.

Time for registration.

5. Every firm carrying on business or having a place of business in the United Kingdom under a trade-name which does not consist of the full or the usual names of all the partners without any addition at the commencement of this Act, and every person carrying on business or having any place of business in the United Kingdom under any trade-name consisting of or containing any name or addition other than the full or the usual name of that person at the commencement of this Act, shall register in such manner and way the Act directs within one month from the commencement of this Act. Every other firm or person required to be registered by this Act shall register before they or he commence business.

Manner and particulars of registration.

6. Every firm or person required to register under this Act shall send by post or delivering to the registrar of the register office in that part of the United Kingdom in which the firm or person carries on or intends to carry on business, or in which the place or places of business of the firm or person registering is or are or is or are intended to be situated, a statement in writing containing the following and any other prescribed particulars:—

(a.) The trade-name.

(b.) The general nature of the business.

(c.) The place or places of the business.

(d.) The full name, usual residence, and other occupation (if any) of the person or persons carrying on or intending to carry on the business.

(e.) If the business is commenced, or any new place of business is established after the commencement of this Act, the date of the commencement of the business or establishment of the new place of business.

Particulars to be written by persons registering, and to be attested.

7. The firm or person carrying on, or intending to carry on any business under a trade-name required to be registered as aforesaid, shall write and sign, or shall acknowledge the above-mentioned statement of the particulars required for registration, if in the United Kingdom, in the presence of a justice of the peace, sheriff, solicitor, notary public, law agent, or writer to the signet, and if abroad, in the presence of a British consul or notary public, by whom respectively such signatures or acknowledgments shall be attested.

Registered name always to be used.

8. The name of any firm or person registered under this Act shall be used in all matters connected with or relating to the business carried on by such firm or person.

Registration of changes in firm.

9. Where a change occurs in the constitution of a registered firm, or in the trade-name thereof, the members of the firm as re-constituted shall, within one month after such change, send by post or deliver to the registrar a statement thereof in the form in the schedule to this Act annexed (or in any other prescribed form).

A.D. 1900.

10. A firm or person changing their or his trade-name shall before they or he use any new trade-name register the intended new trade-name and the statement sent or delivered to the registrar shall state the former trade-name of the firm or person, and that the same is intended to be abandoned as well as all other particulars required by this Act.

Re-registra-
tions on
change of
trade-name.

11. If any person whether a member of a firm or otherwise by this Act required to send or deliver any statement shall make default without reasonable excuse in sending or delivering the same in manner and within the time specified by this Act, he shall, for every day during which the default continues, be liable on summary conviction before two justices of the peace to a fine not exceeding one pound.

Penalty for
default in
registration.

12. Where any firm or person by this Act required to send or deliver any statement to the registrar has therein made default, and during the default commences any action in the trade-name, or in respect of any matter arising out of any dealing by such firm or person in the trade-name, the court may order the firm or person in default to send or deliver to the registrar the proper statement, and may stay all proceedings in the action until the order be complied with, or allow proceedings to be continued on an undertaking to comply with the order within a time to be limited by the court. The power by this section given to the court may be exercised by a judge at chambers, or by a master or district registrar exercising the authority or jurisdiction of a judge at chambers.

Persons in
default
bringing
action shall
be ordered by
court to
register.

13. Every one commits a misdemeanor, and shall be liable to imprisonment with hard labour for a term not exceeding two years, who makes, signs, sends, or delivers for the purpose of registration under this Act any false statement purporting to be made under this Act and known by him to be false.

Making false
returns under
this Act to
be a misde-
meanor.

14. On receiving any statement made in pursuance of this Act the registrar shall cause the same to be filed, and he shall send by post or deliver a certificate of the registration thereof to the firm or person registering.

Registrar to
file statement
and issue
certificate of
registration.

15. At each of the register offices hereinafter referred to the registrar shall keep, in proper books to be provided for the purpose, a register and an index of all the firms and persons registered, and of all the statements registered in reference thereto.

Register and
index to be
kept.

16. The registrar of joint stock companies shall be the registrar of firms for the purposes of this Act, and the several offices for the registration of joint stock companies in London, Edinburgh, and Dublin shall be the offices for the registration of firms carrying on business within those parts of the United Kingdom in which they are respectively situated.

Registrar of
joint stock
companies to
be registrar
under this
Act.

17. Any person may inspect, make extracts from, or copies of the statements filed by the registrar in the register offices aforesaid, and there shall be paid for such inspection such fees as may be appointed by the Board of Trade not exceeding 1s. for each inspection; and any person may require a certificate of the registration of any firm or person, or a copy of or extract from any registered statement to be certified by the registrar, and there shall be paid for such certificate of registration, certified copy, or extract such fees as the Board of Trade may appoint not exceeding 2s. for the certificate of registration, and not exceeding 6d. for each folio of 72 words, or in Scotland for each sheet of 200 words.

Inspection of
statements
registered.

A certificate of registration, or a copy of or extract from any statement registered under this Act, purporting to be signed and certified by the registrar, shall in all courts and before all arbitrators or other persons, be admitted as *prima facie* evidence thereof, and of the fact and date of registration as shown thereon.

18. The registrar or other officer in charge of the register shall, within seven days after the registration of any statement under this Act, send an abstract thereof in the prescribed form to the officials herein-after mentioned, whenever it shall appear that any of the places of business therein described or referred to are situated within the jurisdiction of the courts to which such officials are attached; (that is to say),

Abstract of
statements to
be sent in
certain cases
to county
courts,
sheriffs'
courts, and
civil bill
courts.

(a.) When the registration is in England, to the registrars of county courts (exclusive of those attached to county courts within the London bankruptcy district, as defined by the Bankruptcy Act, 1883):

(b.) When in Scotland, to the sheriff clerks of the sheriffs' courts:

(c.) When in Ireland, to the clerks of the peace or other officials whose duty it is to enter up judgments, decrees or orders of the civil bill courts.

Every abstract so transmitted shall be filed, kept, and indexed by the official to whom it has been sent, and any person may inspect, make extracts from or copies of the same, or obtain certified copies thereof in the like manner and upon the like terms as at the register offices in London, Edinburgh, and Dublin.

19. The Board of Trade may, either before or after the commencement of this Act, and thereafter from time to time, make rules and revoke or alter rules when made (but as to fees with the concurrence of the Commissioners of the Treasury) concerning any of the following matters:—

Power for
Board of
Trade to
make rules.

(a.) The fees to be paid to the registrar under this Act, so that they do not exceed the sum of 5s. for the registration of any one statement:

(b.) The mode of payment and the application of fees payable under this Act:

(c.) The duties or additional duties to be performed by any registrar for the purposes of this Act:

(d.) Generally the conduct and regulation of registration under this Act, and any matters incidental thereto.

20. The Board of Trade may from time to time appoint such additional assistant registrars, clerks, and servants as they may think necessary for the registration of firms under this Act, and may remove them at pleasure.

Power for
Board of
Trade to
appoint
additional
officers.

21. There shall be paid out of moneys to be provided by Parliament to the registrar, assistant registrars, clerks, and servants, such remuneration in respect of the additional duties performed by them under this Act as the Board of Trade may from time to time with the concurrence of the Commissioners of the Treasury direct.

Remunera-
tion for
additional
duties of
registrars.

22. Subject to any rules to be made under this Act, all fees payable under this Act shall be paid and applied in the same manner as fees paid under the Companies Act, 1862, or any Act amending the same.

Application
of fees.

23. For the purpose of making the statements required by this Act, the forms in the schedule to this Act, or any prescribed forms to the like effect may be used, and if used shall be sufficient.

Forms

A.D. 1900.

SCHEDULE.

FORMS OF STATEMENT.

A.—Original Registration of a Firm.

The trade-name is

The business of the firm or person is

It is intended to carry on the business at

Names of persons carrying on [or intending to carry on] the business.

Full name (to be written or (if any).	Usual residence each person	Other occupation, description and addition acknowledged by himself).
---	--------------------------------	--

Date of intended commencement of business or establishment of new place of business, if after the commencement of the Act.

Signed and declared

at
on the day of 19 .

Before me

*As the case
may be.

- * A justice of the peace for
- * British consul at
- * Notary public of

B.—Notice of Change in constitution of Registered Firm.

Registered
trade name
& Co.We, the undersigned [the members of the firm as re-constituted] hereby give notice that on the
day of 19 , the following change took place in the constitution of the firm registered by the
name of & Co., that is to say :*As the case
may be.

- * A.B. retired from the firm.
- * C.D. became a member of the firm.

Description of a new Member.†

†As upon an
original
registration

Full name

Usual residence
description, andOther occupation,
additions (if any)

Signed and declared, &c.

C.—Notice of change of registered Trade-name.

Registered
trade name
& Co.

(In addition to Form A.)

of The persons now registering are the persons who heretofore carried on business under the registered trade-name
& Co., which is abandoned as from the date of this notice.

APPENDIX, No. 11.

PAPER handed in by Mr. *Ernest Cleave*.

Advertisement of Return pursuant to 7 & 8 Vict. cap. 32, of John Brown & Co., which appeared in the Supplement to the "London Gazette," of the 16th of February 1900, dated the 17th of February 1900.

Name of Firm.

John Brown and Company.

Persons of whom the Company or Partnership consists.

Name.	Residence.	Occupation.
Edward Stainton - - - - -	31, St. John's Park, Blackheath, S.E.	Banker.
Richard Martyr Latham - - - - -	Fair Home, Bexley Heath, S.E.	Banker.

Name of Place where the Business is carried on.

Place.	County.
25, Abchurch Lane, E.C. -	London.

APPENDIX, No. 12.

PAPER handed in by Mr. *Ernest Cleave*.

(Copy).

Return pursuant to 7 & 8 Vic., c. 32.

Name of Firm.

John Brown & Co.

Persons of whom the Company or Partnership consists.

Name.	Residence.	Occupation.
Edward Stainton - - - - -	31, St. John's Park, Blackheath, S.E.	Banker.
Richard Martyr Latham - - - - -	Fair Home, Bexley Heath, S.E.	Banker.

Name of Place where the Business is carried on.

Place.	County.	Place.	County.
25, Abchurch Lane, E.C. -	London.		

I (being the Banker), do hereby certify, that the above is a true Return of the Particulars required by Section 2 of the Act 7 & 8 Vic. c. 32.

(signed) *E. Stainton*,

Dated the 12th day of January 1901.

APPENDIX, No. 13

PAPER handed in by Mr. *Ernest Cleave*.

(Copy).

Return pursuant to 7 & 8 Vic., c. 32.

Name of Firm.

Milford, Snow, & Co., City Bank, Exeter.

Persons of whom the Company or Partnership consists.

Name.	Residence.	Occupation.
Thomas Snow - - - - -	Sandridge, Exmouth - - -	Banker.
Henry Drew Thomas - - - - -	Staplake, Starcross, Devon -	Banker.
Sebastian Cosens Snow - - - - -	Weir Cliff, near Exeter - -	Banker.
Antony Herbert Gibbs - - - - -	Pytte, Clist St. George, Exeter -	Banker.

Names of Places where the Business is carried on.

Place.	County.	Place.	County.
Exeter - - - - -	Of the City of Exeter -		

I (being the Banker, Chief Cashier, Managing Director, or Partner of the Bank, as the case may be) do hereby certify, that the above is a true Return of the Particulars required by Section 21 of the Act 7 & 8 Vict. cap. 32.

(signed) *Thomas Snow*.

Dated the 12th day of January 1900.

APPENDIX, No. 14.

PAPER handed in by Mr. *Ernest Cleave*.

Advertisement of Return, pursuant to 7 & 8 Vict. cap. 32, of Milford, Snow & Co., City Bank, Exeter, which appeared in the "Exeter Flying Post" of 17th February 1900.

Copy of Return, pursuant to 7 & 8 Vic. c. 32.

Name of Firm :

Milford, Snow, & Co., City Bank, Exeter.

Persons of whom the Company or Partnership consists.

Name.	Residence.	Occupation.
Thomas Snow - - - - -	Sandridge, Exmouth - - - - -	Banker.
Henry Drew Thomas - - - - -	Staplake, Starcross, Devon - - - - -	Banker
Sebastian Cozens Snow - - - - -	Weir Cliff, near Exeter - - - - -	Banker.
Antony Herbert Gibbs - - - - -	Pytte, Clist St. George, Exeter - - - - -	Banker.

Names of Places where the Business is carried on.

Place.	County.
Exeter - - - - -	Of the City of Exeter.

Inland Revenue Office, 10th February 1900.

J. S. Purcell, Registrar of Bank Returns

Paragraph, *agreed to*.

Paragraph 5.

Amendment proposed, in line 1, to leave out from the beginning of the paragraph to the word "introduced"—(Mr. Monk).—Question, "That the words proposed to be left out stand part of the paragraph,"—put, and *agreed to*.

Paragraph, *agreed to*.

Paragraph 6.

Amendment proposed, in line 2, to leave out the word "totally"—(Mr. Emmott).—Question "That the word 'totally' stand part of the paragraph,"—put, and *negatived*.

Another amendment proposed, in line 2, to leave out from the word "and" to the end of the paragraph, in order to insert the words "to such an extent as would bring it outside the scope of the second reading"—(Mr. Emmott).—Question proposed, "That the words proposed to be left out stand part of the paragraph."

Amendment by leave *withdrawn*.

Paragraph 6.

Question put. "That the paragraph stand part of the Report."—The Committee divided:

Ayes, 6.

Mr. Cohen.
Mr. Vicary Gibbs.
Mr. H. D. Greene.
Sir Seymour King
Sir James Rankin.
Sir John Stirling-Maxwell.

Noes, 5.

Mr. Michael Austin.
Mr. Emmott.
Mr. Holland.
Mr. Monk.
Mr. Palmer.

Paragraph 7, *agreed to*.

Paragraph 8.

Amendment proposed, in line 2, to leave out the words "possible future"—(Mr. Monk).—Question, "That the words proposed to be left out stand part of the paragraph,"—put, and *negatived*.

Paragraph, as amended, *agreed to*.

Question, "That this Report, as amended, be the Special Report of the Committee to the House,"—put, and *agreed to*.

Ordered, to Report the Bill without Amendment, together with the Minutes of Evidence and an Appendix.

SPECIAL REPORT

AND

R E P O R T

FROM THE

SELECT COMMITTEE

ON THE

REGISTRATION OF FIRMS BILL;

WITH THE

PROCEEDINGS OF THE COMMITTEE.

*Ordered, by The House of Commons, to be Printed,
17 July 1900.*

L O N D O N :
PRINTED FOR HER MAJESTY'S STATIONERY OFFICE,
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HODGES, FIGGIS, & Co., LIMITED, 104, GRAFTON STREET, DUBLIN.

1900.

REGISTRATION OF FIRMS BILL.

[Wednesday, 2nd May 1900]:—READ a second time, and committed to a Select Committee.

[Tuesday, 22nd May 1900]:—The Select Committee on Registration of Firms Bill was nominated of,—

Mr. Michael Austin.
Mr. Emmott.
Sir Robert Finlay.
Mr. Vicary Gibbs.
Mr. H. D. Greene.
Mr. Hazell.
Mr. Holland.

Sir Seymour King.
Mr. Monk.
Mr. Palmer.
Sir James Rankin.
Sir Albert Rollit.
Sir John Stirling-Maxwell.

Ordered, That Five be the Quorum.—(Sir William Walrond.)

[Monday, 28th May 1900]:—Ordered, That the Select Committee on the Registration of Firms Bill have Power to send for Persons, Papers, and Records.—(Mr. Attorney General.)

[Thursday, 21st June 1900]:—Ordered, That Mr. Hazell be discharged from the Select Committee on the Registration of Firms Bill.

Ordered, That Mr. Mendl be a Member of the Committee.—(Mr. William McArthur.)

[Tuesday, 26th June 1900]:—Ordered, That Sir Albert Rollit be discharged from the Committee on Registration of Firms.

Ordered, That Mr. Cohen be added to the Committee.—(Sir William Walrond.)

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SPECIAL REPORT.

THE SELECT COMMITTEE to whom the REGISTRATION OF FIRMS BILL was referred :—HAVE agreed to the following SPECIAL REPORT :—

1. YOUR COMMITTEE have taken evidence on the subject-matter of the Bill referred to them. Representatives of Stubbs' Mercantile Agency and the Nottinghamshire and Midland Merchants and Traders' Association explained the object the promoters of the Bill have in view. The Inspector General in Bankruptcy and in the liquidation of companies, the Deputy Chairman of the Board of Inland Revenue, the Registrar of Joint Stock Companies, and the Superintendent of County Courts at the Treasury gave evidence as to the proposed mode of carrying out the objects of the Bill from various departmental points of view. Amongst the written communications received by your Committee are the Appendices 1 to 14, inclusive, containing the remarks of the Bar Council of England, the Incorporated Law Society of England, the Provincial Law Societies of Liverpool, Manchester, and Birmingham, and the Association of County Court Registrars, the Faculty of Advocates, and the Society of Writers to the Signet in Edinburgh, and the Faculty of Procurators in Glasgow and the Incorporated Law Society of Ireland.

2. It has been established before your Committee that it is desirable to obtain public disclosure of all individuals who at a fixed place employ for the purposes of trade the names or styles of companies or partnerships or any form of plural designation. An effective register of this information would not only tend to facilitate commerce but would secure the identification of persons liable to legal proceedings, or amenable to Local Government and other requirements.

3. Your Committee have been unable to ascertain even approximately the number of traders or firms upon whom the obligation to register would fall if the Bill should become law, though they believe that it would be very great.

4. The evidence has revealed grave departmental difficulties in the way of carrying out the scheme of the Bill. The proposal to compel central registration with a district record of it supplied by the central registrar is not found to be practicable, and the inconvenience of requiring the County Court officials to conform to rules made by the Board of Trade is a serious obstacle.

5. If a complete system of registration is to be made immediately compulsory your Committee think that it would be necessary for some Government department now existing or hereafter to be created to undertake the responsibility not only of making and rectifying the register but also of compelling compliance with the law instead of leaving as much power to the Common Informer as is proposed in the Bill, a power which would almost certainly lead to great abuses.

On the other hand, if the adoption of registration is to be progressively introduced your Committee suggest that an incentive to register might possibly be supplied by depriving those persons who had not availed themselves of the provision as to registration of their ordinary rights to sue under the firm name.

6. Your Committee cannot surmount the difficulties observed by them without changing or reconstructing the scheme of the Bill and without pursuing their inquiries as to the duties and staffs of the public offices to an extent beyond what is required for the consideration of the Bill before them.

7. Your Committee are therefore of opinion that the principle of the Bill should only be accepted in a measure more complete and more practical than that referred to your Committee. They are therefore not prepared to advise Parliamentary sanction being given to it, and have in accordance with this opinion agreed to report the Bill without amendment.

8. Your Committee think that the subject is well deserving of consideration with a view to legislation.

REPORT ON THE BILL.

THE SELECT COMMITTEE to whom the REGISTRATION OF FIRMS BILL was referred :—HAVE agreed to report the same, without Amendment.

17 *July* 1900.

PROCEEDINGS OF THE COMMITTEE.

Monday, 28th May 1900.

MEMBERS PRESENT :

Mr. H. D. Greene.
Mr. Holland.
Mr. Michael Austin.
Mr. Emmott.

Mr. Monk.
Sir John Stirling-Maxwell.
Sir Seymour King.
Sir Robert Finlay.

Sir ROBERT FINLAY (Mr. Attorney General) was called to the Chair.

The Committee deliberated.

[Adjourned till Monday 18th June, at Twelve o'clock.

Monday, 18th June 1900.

MEMBERS PRESENT :

Mr. ATTORNEY GENERAL in the Chair.

Mr. Emmott.
Mr. Monk.
Sir John Stirling-Maxwell.

Mr. Michael Austin.
Sir Seymour King.
Mr. H. D. Greene.

Mr. G. Sullivan and Mr. Robert Mellors were examined.

[Adjourned till Thursday next, at Twelve o'clock.

Monday, 25th June 1900.

MEMBERS PRESENT :

Mr. Emmott.
Mr. Vicary Gibbs.
Sir John Stirling-Maxwell.
Mr. Mendl.

Mr. Monk.
Mr. Palmer.
Mr. H. D. Greene.
Sir Seymour King.

In the absence of the Attorney General, Mr. H. D. GREENE was called to the Chair.

Mr. John Smith, C.B., was examined.

[Adjourned till Thursday next, at Twelve o'clock.

Thursday, 28th June 1900.

MEMBERS PRESENT :

Mr. ATTORNEY GENERAL in the Chair.

Mr. Michael Austin.
Mr. Emmott.
Mr. Vicary Gibbs.
Mr. H. D. Greene.
Sir Seymour King.

Mr. Monk.
Sir James Rankin.
Sir John Stirling-Maxwell.
Mr. Cohen.
Mr. Palmer.

Sir F. L. Robinson, Mr. Ernest Cleave, and Mr. B. J. Bridgeman were examined.

[Adjourned till Thursday next, at Twelve o'clock.

Thursday, 5th July 1900.

MEMBERS PRESENT :

Mr. ATTORNEY GENERAL in the Chair.

Mr. H. D. Greene.
Mr. Emmott.
Mr. Holland.
Mr. Palmer.
Mr. Michael Austin.
Mr. Cohen.

Sir James Rankin.
Mr. Vicary Gibbs.
Sir Seymour King.
Mr. Monk.
Sir John Stirling-Maxwell.

Room cleared. The Committee deliberated

Question put, That the Bill be reported, without Amendment, to the House.—The Committee divided :

Ayes, 5.

Mr. Vicary Gibbs.
Sir Seymour King.
Sir James Rankin.
Mr. Cohen.
Sir John Stirling-Maxwell.

Noes, 5.

Mr. Michael Austin.
Mr. Emmott.
Mr. Holland.
Mr. Monk.
Mr. Palmer.

Whereupon the Chairman declared himself with the Ayes.

Resolved, That the Committee do make a Special Report to the House.

[Adjourned till Tuesday the 17th July, at Twelve o'clock.

Tuesday, 17th July 1900.

MEMBERS PRESENT :

Mr. ATTORNEY GENERAL in the Chair.

Mr. H. D. Greene.
Mr. Emmott.
Mr. Michael Austin.
Mr. Holland.

Sir Seymour King.
Mr. Monk.
Mr. Cohen.
Sir John Stirling-Maxwell.

DRAFT SPECIAL REPORT proposed by the *Chairman*, brought up, and read the first time, as follows:—

"1. Your Committee have taken evidence on the subject-matter of the Bill referred to them. Representatives of Stubbs' Mercantile Agency and the Nottinghamshire and Midland Merchants and Traders' Association explained the object the promoters of the Bill have in view. The Inspector General in Bankruptcy and in the liquidation of companies, the Deputy Chairman of the Board of Inland Revenue, the Registrar of Joint Stock Companies, and the Superintendent of County Courts at the Treasury, gave evidence as to the proposed mode of carrying out the objects of the Bill from various departmental points of view. Amongst the written communications received by your Committee are the Appendices 1 to 14, inclusive, containing the remarks of the Bar Council of England, the Incorporated Law Society of England, the Provincial Law Societies of Liverpool, Manchester, and Birmingham, and the Association of County Court Registrars, the Faculty of Advocates, and the Society of Writers to the Signet in Edinburgh, and the Faculty of Procurators in Glasgow and the Incorporated Law Society of Ireland.

"2. It has been established before your Committee that it is desirable to obtain public disclosure of all individuals who at a fixed place employ for the purposes of trade the names or styles of companies or partnerships or any form of plural designation. An effective register of this information would not only tend to facilitate commerce but would secure the identification of persons liable to legal proceedings, or amenable to Local Government and other requirements.

"3. Your Committee have been unable to ascertain even approximately the number of traders or firms upon whom the obligation to register would fall if the Bill should become law, though they believe that it would be very great.

"4. The evidence has revealed grave departmental difficulties in the way of carrying out the scheme of the Bill. The proposal to compel registration with a district record of it supplied by the central registrar is not found to be practicable, and the inconvenience of requiring the County Court officials to conform to rules made by the Board of Trade is a serious obstacle.

"If a complete system of registration is to be made immediately compulsory your Committee think that it would be necessary for some Government department now existing or hereafter to be created to undertake the responsibility not only of making and rectifying the register but also of compelling compliance with the law instead of leaving as much power to the Common Informer as is proposed in the Bill, a power which would almost certainly lead to great abuses.

"5. If the adoption of registration is to be progressively introduced your Committee suggest that an incentive to register might possibly be supplied by depriving of their ordinary rights to sue under the firm name those persons who had not availed themselves of the provision as to registration.

"6. Your Committee cannot surmount the difficulties observed by them without totally changing or reconstructing the scheme of the Bill and pursuing their inquiries as to the duties and staffs of the public offices to an extent beyond what is required for the consideration of the Bill before them.

"7. Your Committee are therefore of opinion that the principle of the Bill should only be accepted in a measure more complete and more practical than that referred to your Committee. They are therefore not prepared to advise Parliamentary sanction being given to it, and have in accordance with this opinion agreed to report the Bill without amendment.

"8. Your Committee think that the subject is well deserving of consideration with a view to possible future legislation."

Question, "That the Draft Special Report proposed by the Chairman be read a second time, paragraph by paragraph,"—put, and *agreed to*.

Paragraphs 1-3,—put, and *agreed to*.

Paragraph 4.

Amendment proposed in line 6, to leave out from the word "If" to the end of the paragraph, in order to insert the words: "Your Committee, however, are satisfied from the evidence that a Central Registration of Firms is practicable under the Department of the Registrar of Joint Stock Companies, who has expressed his belief that it could be efficiently carried out without loss to the Treasury"—(Mr. Monk).—Question put, "That the words proposed to be left out stand part of the paragraph."—The Committee divided:

Ayes, 7.

Mr. Cohen
Mr. Vicary Gibbs.
Mr. H. D. Greene.
Sir Seymour King.
Mr. Palmer.
Sir James Rankin.
Sir John Stirling-Maxwell.

Noes, 4.

Mr. Michael Austin.
Mr. Emmott.
Mr. Holland.
Mr. Monk.

Paragraph, *agreed to*.

Paragraph 5.

Amendment proposed, in line 1, to leave out from the beginning of the paragraph to the word "introduced"—(Mr. Monk).—Question, "That the words proposed to be left out stand part of the paragraph,"—put, and *agreed to*.

Paragraph, *agreed to*.

Paragraph 6.

Amendment proposed, in line 2, to leave out the word "totally"—(Mr. Emmott).—Question, "That the word 'totally' stand part of the paragraph,"—put, and *negatived*.

Another amendment proposed, in line 2, to leave out from the word "and" to the end of the paragraph, in order to insert the words "to such an extent as would bring it outside the scope of the second reading"—(Mr. Emmott).—Question proposed, "That the words proposed to be left out stand part of the paragraph."

Amendment by leave *withdrawn*.

Paragraph 6.

Question put. "That the paragraph stand part of the Report."—The Committee divided:

Ayes, 6.

Mr. Cohen.
Mr. Vicary Gibbs.
Mr. H. D. Greene.
Sir Seymour King
Sir James Rankin.
Sir John Stirling-Maxwell.

Noes, 5.

Mr. Michael Austin.
Mr. Emmott.
Mr. Holland.
Mr. Monk.
Mr. Palmer.

Paragraph 7, *agreed to*.

Paragraph 8.

Amendment proposed, in line 2, to leave out the words "possible future"—(Mr. Monk).—Question, "That the words proposed to be left out stand part of the paragraph,"—put, and *negatived*.

Paragraph, as amended, *agreed to*.

Question, "That this Report, as amended, be the Special Report of the Committee to the House,"—put, and *agreed to*.

Ordered, to Report the Bill without Amendment, together with the Minutes of Evidence and an Appendix.

SPECIAL REPORT

AND

REPORT

FROM THE

SELECT COMMITTEE

ON THE

REGISTRATION OF FIRMS BILL;

WITH THE

PROCEEDINGS OF THE COMMITTEE

*Ordered, by The House of Commons, to be Printed,
17 July 1900*

[Price 1½d.]

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Under 2 oz.

SPECIAL REPORT

AND

REPORT

FROM THE

SELECT COMMITTEE

ON THE

SEA FISHERIES BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,
MINUTES OF EVIDENCE,
APPENDIX AND INDEX.

*Ordered, by The House of Commons, to be Printed,
19 July 1900.*

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1900.

SEA FISHERIES BILL.

[Monday, 7th May 1900]:—Order read, for resuming Adjourned Debate on Amendment to Question [30th April], "That the Bill be now read a second time :"—

And which Amendment was, to leave out the word "now," and at the end of the Question to add the words "upon this day six months"—(Sir Cameron Gull.)

Question again proposed, "That the word 'now' stand part of the Question"—Debate resumed.

Question put :—The House divided ; Ayes 180, Noes 33.

Main Question put, and *agreed to*:—Bill read a second time, and committed to a Select Committee.

[Monday, 21st May 1900]:—Nomination of Select Committee,—Mr. Vaughan-Davies, Mr. George Doughty, and Mr. Harry Foster nominated Members of the Committee.

Motion made, and Question proposed, "That General Goldsworthy be another Member of the Committee"—(Sir William Walrond.)

And, the Motion being opposed, after a brief statement from a Member who opposed it, Mr. Speaker put the Question in pursuance of Standing Order No. 16 :—The House divided. Ayes 212, Noes 77.

Sir Cameron Gull, Sir Brampton Gurdon, Mr. Seale-Hayne, Mr. Graham Murray, Mr. Pretymal, Mr. William Redmond, Mr. Ritchie, Mr. Rothschild, and Captain Sinclair nominated other Members of the Committee.—(Sir William Walrond.)

Motion made, and Question proposed, "That Five be the quorum of the Committee"—(Sir William Walrond.)

And, the Motion being opposed, after a brief statement from a Member who opposed it, Mr. Speaker put the Question in pursuance of Standing Order No. 16 :—The House divided ; Ayes 184, Noes 116.

[Friday, 25th May 1900]:—That the Select Committee on the Sea Fisheries Bill have power to send for persons, papers, and records.

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SPECIAL REPORT.

THE SELECT COMMITTEE to whom the SEA FISHERIES BILL was referred :—

HAVE agreed to the following SPECIAL REPORT :—

YOUR COMMITTEE have held eight sittings for the purpose of taking evidence. They did not consider it necessary to duplicate the evidence laid before the Committee of 1893. They thought it expedient, however, to examine certain scientific experts with the view of completing the statistics up to date, and to allow an expression of opinion from witnesses both of that class and of the class of local fishermen as to the effect of the provisions of this Bill.

Your Committee think that it is proved beyond doubt that there is a very serious diminution of the supply of certain kinds of flat fish, particularly in the North Sea. Of late years the total quantity of such fish caught has remained nearly stationary. This fact, when taken along with the enormously increased catching power and the vastly larger area of sea subjected to fishing operations, seems to show that the ancient fishing grounds are much depleted. The whole of the local evidence, differing in many other respects, is practically unanimous as to this point. It seems clear that the evil is a growing one, and that in default of a remedy the consequences to the fishing industry in the diminished supply of flat fish will at no very distant future be disastrous.

Your Committee are of opinion that one of the causes of this diminution of supply is undoubtedly the destruction of immature fish. It is quite certain that the destruction of fish below a certain size is an evil. Vast quantities of such fish are thrown away as unfit for any market ; and further, many of the smaller fish are only used as a make-weight for the sale of occasional larger specimens packed in the same boxes, being in themselves almost unmarketable.

Remedies against the destruction of such fish must be either direct or indirect. Direct remedies lie in either the prohibition of the taking and killing of such fish, or in the prohibition of fishing within certain areas where small fish more particularly abound. The first of these direct remedies your Committee are of opinion is practically impossible without prohibiting trawling altogether. Most of the small fish are killed whenever the trawl has been for a considerable time in the water, and it is not too much to say that small fish that are caught by means of deep-sea trawling could not be returned to the sea alive. As regards the second of these direct remedies, your Committee think that it is established that there are certain well-known areas in the North Sea where small and young fish undoubtedly do congregate, and to prevent fishing in such areas would be obviously of great value. But such a result could not be obtained without joint international action among the Powers bordering the North Sea. The difficulties of such international action and the policing necessarily ancillary thereto are obvious. They are, however, outside the scope of this Bill, and your Committee do not think it is necessary for them to say anything more on that subject.

The other class of remedy is the indirect remedy, and it is in furtherance of such an indirect remedy that this Bill is framed. The idea upon which the Bill is based is that by prohibiting the sale of fish beneath a certain size limit it would make it not worth while for the fishermen to resort to places where these small fish abound. On the point of whether that object would be obtained if the Bill were made law, the evidence laid before your Committee has been conflicting. In favour of the Bill, the large trawlers generally who come from the ports of Hull and Grimsby have expressed their view that the Bill would be effectual, and that if the London market, which, according to them, is really the only effective market open for very small fish, were closed, the result would be that it would not be worth while for trawlers to go to the banks of the North Sea, already referred to. On the other hand, the fishing trade of Yarmouth, Lowestoft and Brixham contend that the Bill would not prevent

the destruction of small fish, while it would necessarily introduce harassing conditions. In this opinion the smaller trawlers and the inshore net fishermen, such as shrimpers, and so forth, agree. Line fishermen, as a body, preserve what may be termed as an indifferent, but not unfavourable attitude. They do not feel, and this seems to be true generally of Scotch line fishermen, that the Bill would in any way hamper or interfere with them, because it is a fact that very few small flat fish are taken by the line, and that for such as are taken in that manner there is really no market. They are not clear whether the Bill would effect the object desired, but inasmuch as it would not interfere with them they are willing that anything should be tried which possibly might do good and could not do them harm.

This question is further complicated by that of the size limit. Taking plaice alone, as to which fish the necessity for some remedial action in the North Sea seems the most pressing, some of the scientific witnesses were of opinion that the Bill as it stood would do something to effect its object, although they all desired to see the size limit extended. An important witness, representing the Marine Biological Association, was of opinion that if the size remained as in the Bill the Bill would be of no practical use, and that it would only be effective if the size limit was increased to 13 inches. As regards the other fishes mentioned in the Bill the Committee think that evidence was brought forward sufficient to show that there are several varieties of the sole tribe that do not grow to large sizes, and that to take the sizes in the Bill as regards sole would be, in certain districts, to prohibit practical fishing.

In these circumstances your Committee feel that it would not be expedient to pass the Bill into law without further inquiry and investigation, and they therefore have determined to report the Bill without Amendment to the House.

As regards investigation, your Committee feel very strongly that the materials for forming a just conclusion upon such subjects are not what they might be. As regards scientific work, a Conference of the Powers was held last year at Stockholm. The result of that conference is not yet available. It is premature to discuss in the present state of knowledge the result of its labours. The Scotch Fishery Board have accumulated some valuable statistics, but their investigations have been hampered by inadequate means. They have not much money at their disposal, and the vessel which they have for the purpose of scientific investigation is undoubtedly too small. Yet, such as they are, they are the only investigations made by a Government department in the Kingdom devoted to that subject only. It is true that a contribution of 1,000*l.* is made to the Marine Biological Association, and the Board of Trade possess the services of a scientific expert. But that gentleman is fully occupied with administrative duties, and the Board have never been given the resources or the staff requisite for scientific investigation, or for the essential work of inquiring as to the efforts of other countries, and tabulating the results obtained by such inquiries. The consequence has been that your Committee were particularly struck by the fact that not only is there much doubt as to the precise position of foreign law in regard to restrictive legislation affecting fisheries and its result, but that upon the question of what has been practically achieved in the United States of America certain information is not easily available.

Your Committee feel that the subject of the diminution of the fish supply is a very pressing one, and that the situation is going from bad to worse. In their view no effort ought to be spared (first) to arrange for international treatment of the subject generally, and especially for regulation of the North Sea area; and (second) to provide for the adequate equipment of the Government Departments in charge of the subject, so that they may effectively pursue scientific investigation, and ascertain with sufficiency and precision what has been done either in the way of scientific research or in the matter of practical legislation by other inquirers and by other countries, with the view of determining whether any, and, if so, what legislation may be desirable to effect the objects of the Bill.

19 July 1900.

R E P O R T.

THE SELECT COMMITTEE to whom the SEA FISHERIES BILL was referred ;——

HAVE agreed to report the same, without Amendment, to the House.

19 *July* 1900.

PROCEEDINGS OF THE COMMITTEE.

Wednesday, 23rd May 1900.

MEMBERS PRESENT:

Mr. Ritchie.
Mr. Vaughan-Davies.
Mr. Seale-Hayne.
Mr. Pretymann.

General Goldsworthy
Mr. Doughty.
Mr. Redmond.
Captain Sinclair.

Mr. RITCHIE was called to the Chair.

[Adjourned till Tuesday, 19th June, at Twelve noon.]

Tuesday, 19th June 1900.

MEMBERS PRESENT:

Mr. RITCHIE in the Chair.

Sir Brampton Gurdon.
Mr. Rothschild.
Captain Sinclair.
Mr. Seale-Hayne.

General Goldsworthy.
Sir Cameron Gull.
Mr. George Doughty.
Mr. Harry Foster.

Mr. *Walter Archer* was examined.

[Adjourned till Thursday next, at Twelve noon.]

Thursday, 21st June 1900.

MEMBERS PRESENT:

Mr. RITCHIE in the Chair.

General Goldsworthy.
Sir Brampton Gurdon.
Mr. Harry Foster.
Mr. Rothschild.
Mr. Doughty.
Sir Cameron Gull.

Captain Sinclair.
Mr. Vaughan-Davies.
Mr. Graham Murray.
Mr. Seale-Hayne.
Captain Pretymann.

Mr. *John Wrench Townse*, Mr. *Matthew Chase*, and Mr. *William Thomas Goodson* were examined.

[Adjourned till Monday next, at Twelve o'clock.]

Monday, 25th June 1900.

MEMBERS PRESENT :

Mr. RITCHIE in the Chair.

Mr. Rothschild.
Mr. Doughty.
Mr. Vaughan-Davies.
Sir Cameron Gull.
Captain Sinclair.
Mr. Seale-Hayne.

General Goldsworthy.
Sir Brampton Gurdon.
Mr. Harry Foster.
Mr. William Redmond.
Captain Pretyma.

Dr *Albert Günther*, Sir *Thomas Brady*, and Mr. *Robert Kenner* were examined.

[Adjourned till To-morrow, at Twelve o'clock.]

Tuesday, 26th June 1900.

MEMBERS PRESENT :

Mr. GRAHAM MURRAY in the Chair.

Mr. Rothschild.
Sir Brampton Gurdon.
General Goldsworthy.
Mr. Doughty.
Mr. Seale-Hayne.
Sir Cameron Gull.

Mr. Vaughan-Davies.
Captain Sinclair.
Mr. Harry Foster.
Captain Pretyma.
Mr. William Redmond.

In the absence of the Chairman, Mr. GRAHAM MURRAY was called to the Chair.

Dr. *Wemyss Fulton*, Sir *Thomas Devereux Pile*, Mr. *James Sydenham*, and Mr. *Charles Hellyer* were examined.

[Adjourned till Thursday next, at Twelve o'clock.]

Thursday, 28th June 1900.

MEMBERS PRESENT :

Mr. RITCHIE in the Chair.

Mr. Rothschild.
Mr. Doughty.
Captain Sinclair.
Mr. Seale-Hayne.
General Goldsworthy.

Sir Brampton Gurdon.
Mr. Vaughan-Davies.
Mr. William Redmond.
Mr. Harry Foster.
Mr. Graham Murray.

Mr. *Charles Hellyer* and Mr. *Harrison Mudd* were examined.

[Adjourned till To-morrow, at Twelve o'clock.]

Friday, 29th June 1900.

MEMBERS PRESENT:

Mr. GRAHAM MURRAY in the Chair.

General Goldsworthy.
Sir Cameron Gull.
Mr. Doughty.
Mr. Seale-Hayne.
Captain Sinclair.

Mr. Harry Foster.
Mr. Rothschild.
Mr. Vaughan-Davies.
Sir Brampton Gurdon.
Mr. William Redmond.

In the absence of the Chairman Mr. GRAHAM MURRAY was called to the Chair.

Mr. *John Love McNaughton*, Mr. *James Cowie*, Mr. *George Webster*, Mr. *James Pitcher* and Mr. *J. R. Johnson* were examined.

[Adjourned till Tuesday next, at Twelve o'clock.]

Tuesday, 3rd July 1900.

MEMBERS PRESENT:

Mr. GRAHAM MURRAY in the Chair.

Mr. Rothschild.
General Goldsworthy.
Captain Sinclair.
Mr. Harry Foster.
Sir Cameron Gull.

Mr. Seale-Hayne.
Sir Brampton Gurdon.
Captain Pretymann.
Mr. Vaughan-Davies.

In the absence of the Chairman Mr. GRAHAM MURRAY was called to the Chair.

Mr. *William Glen* and Mr. *Peter Sim* were examined.

The Committee deliberated, and decided unanimously to hear evidence on Thursday from a representative of the Marine Biological Association.

Motion made and Question proposed, That Mr. Shaw Lefevre be invited to give evidence before the Committee—(Mr. *Harry Foster*).—Question put.—The Committee divided:

Ayes, 4.

Mr. Harry Foster.
Sir Cameron Gull.
Sir Brampton Gurdon.
Captain Sinclair.

Noes, 4.

Mr. Vaughan-Davies.
General Goldsworthy.
Mr. Seale-Hayne.
Mr. Rothschild.

Whereupon the Chairman declared himself with the Noes.

[Adjourned till Thursday next, at Twelve o'clock.]

Thursday, 5th July 1900.

MEMBERS PRESENT:

Mr. GRAHAM MURRAY in the Chair.

Mr. Rothschild.
Sir Cameron Gull.
General Goldsworthy.
Sir Brampton Gurdon.

Mr. Seale-Hayne.
Mr. Pretymann.
Captain Sinclair.
Mr. Vaughan-Davies.

In the absence of the Chairman Mr. GRAHAM MURRAY was called to the Chair.

Mr. *Walter Garstang* was examined.

Motion made and Question, That the Committee do hear the evidence of Mr. *James Johnston*, Fish Merchant, Montrose—(Captain *Sinclair*)—put, and *negatived*.

[Adjourned till Tuesday next, at Twelve o'clock.]

Tuesday, 10th July 1900.

MEMBERS PRESENT:

Mr. RITCHIE in the Chair.

Mr. Graham Murray.
Mr. Harry Foster.
Sir Brampton Gurdon.
General Goldsworthy.
Mr. Seale-Hayne.

Mr. Rothschild.
Mr. Pretymann.
Sir Cameron Gull.
Captain Sinclair.

The Committee deliberated.

[Adjourned till Thursday. 19th, at Twelve o'clock.

Thursday, 19th July 1900.

MEMBERS PRESENT:

Mr. GRAHAM MURRAY in the Chair.

General Goldsworthy.
Mr. Vaughan-Davies.
Mr. Rothschild.
Sir Cameron Gull.

Sir Brampton Gurdon.
Mr. Pretymann.
Captain Sinclair.
Mr. Harry Foster.

In the absence of the Chairman Mr. GRAHAM MURRAY was called to the Chair.

DRAFT SPECIAL REPORT proposed by the Chairman, read the first time, as follows:—

" 1. Your Committee have held eight sittings for the purpose of taking evidence. They did not consider it necessary to re-duplicate the evidence laid before the Committee of 1893. They thought it expedient to examine certain scientific experts with the view of bringing the statistics up to date, and to allow an expression of opinion from witnesses both of that class and of the class of local fishermen as to the effect of the provisions of this Bill.

" 2. Your Committee think that it is proved beyond the possibility of any dispute that there is a very great and serious diminution of the fish supply. Of late years the total quantity of fish caught has remained nearly stationary. This fact, when taken along with the enormously increased catching power and the vastly larger area of sea subjected to fishing operations, seems to put it beyond doubt that the ancient fishing grounds are much depleted. The whole of the local evidence, differing in many other respects, is unanimous as to this point. It seems clear that the evil is a growing one, and that in default of a remedy the consequences to the fishing industry and the fish supply will at no very distant future be disastrous.

" 3. Your Committee are of opinion that one of the causes of this diminution of supply is undoubtedly the destruction of immature fish. It is quite certain that the destruction of fish below a certain size is an evil. Vast quantities of such fish are destroyed as unfit for any market; and further, many of the smaller fish are only used as a make-weight for the sale of occasional larger specimens packed in the same boxes, being in themselves almost unmarketable.

" 4. Remedies against the destruction of such fish must be either direct or indirect. Direct remedies lie in either the prohibition of the taking and killing of such fish, or in the prohibition of fishing within certain areas where small fish more particularly abound. The first of these direct remedies your Committee are of opinion is practically impossible without prohibiting trawling altogether. The small fish in many cases are killed whenever the trawl has been for a considerable time in the water, and it is not too much to say that small fish that are caught by means of deep-sea trawling could not be returned to the sea alive. As regards the second of these direct remedies, your Committee think that it is established that there are certain well-known areas in the North Sea where undersized small and young fish undoubtedly do congregate, and to prevent fishing in such areas would be obviously of great value. But such a result could not be obtained without joint international action among the Powers bordering the North Sea. The difficulties of such international action, and the policing necessarily ancillary thereto, are obvious. They are, however, outside the scope of this Bill, and your Committee do not think it is necessary for them to say anything more on that subject.

" 5. The other class of remedy is the indirect remedy, and it is in furtherance of such an indirect remedy that this Bill is framed. The idea upon which the Bill is based is that by prohibiting the sale of fish beneath a certain size limit it would make it not worth while for the

fishermen to resort to places where these small fish abound. On the point of whether that object would be obtained if the Bill were made law, the evidence laid before your Committee has been conflicting. In favour of the Bill, your Committee think that the view of the large trawlers generally who come from the ports of Hull and Grimsby is that the Bill would be effectual, and that if the London market, which, according to them, is really the only effective market open for very small fish, were closed, the result would be that it would not be worth while for trawlers to go to the banks of the North Sea, already referred to. On the other hand, against the Bill there is a general consensus of opinion on the part of the smaller trawlers and the inshore net fishermen such as shrimpers, and so forth. They consider that if the size limit of the Bill were imposed their trade would be unnecessarily interfered with, and they express doubt as to the Bill being effective for the purpose for which it is designed. Line fishermen, as a body, preserve what may be termed as an indifferent but favourable attitude. They do not feel, and this seems to be true of all the Scotch line fishermen, that the Bill would in any way hamper or interfere with them, because it is a fact that very few undersized fish are taken by the line, and that for such as are taken in that manner there is really no market. They are not clear whether the Bill would effect the object desired, but inasmuch as it would not interfere with them they are willing that anything should be tried which possibly might do good and could not in their view do harm.

" 6. This question is further complicated by that of the size limit. Taking plaice alone, which fish the necessity for some remedial action in the North Sea seems the most pressing of some of the scientific witnesses were of opinion that the size specified in the Bill would be sufficient to effect its object, another gentleman representing the Marine Biological Association was of opinion that if the size remained as in the Bill the Bill would be of no practical use, and that it would be effective if the size limit was increased to 13 inches. As regards other fishes your Committee think that evidence was brought forward sufficient to show that in inland waters there are several varieties of the sole tribe that do not grow to large sizes, and that to take the sizes in the Bill regards sole would be, in certain districts, to prohibit all practical fishing.

" 7. In these circumstances your Committee feel that it would not be expedient to pass the Bill into Law without further inquiry and investigation, and they therefore have determined to report the Bill without Amendment to the House.

" 8. As regards investigation, your Committee feel very strongly that the materials for forming a just conclusion upon such subjects are not what they might be. As regards scientific work a Conference of the Powers is at present sitting in Sweden. The result of that conference is not yet available. It is premature to discuss in the present state of knowledge the result of its labours. The Scotch Fishery Board have accumulated some valuable statistics, but their investigations have been hampered by inadequate means. They have not much money at their disposal, and the vessels which they have for the purpose of scientific investigation is undoubtedly too small. Yet, as they are, they are the only investigations made by a Government Department in the kingdom devoted to that subject only. It is true that a contribution of 1,000*l.* is made to the Marine Biological Association, and the Board of Trade possess the services of a very competent scientific expert. But that gentleman is fully occupied with administrative duties, and the Board have not been given the resources or the staff requisite for scientific investigation, or for the essential work of inquiring as to the efforts of other countries, and tabulating the results obtained by such inquiries. The consequence has been that your Committee were particularly struck by the fact that not only is there much dubiety as to the precise position of foreign law, but that upon the question of what has been practically achieved in America certain information is not easily available.

" 9. Your Committee feel that the subject of the diminution of the fish supply is a very pressing one, and that the situation is going from bad to worse. In their view no effort ought to be spared (first) to arrange for international treatment of the subject generally, and especially for regulation of the North Sea area; and (second) to provide for the adequate equipment of the Government Department in charge of the subject, so that they may effectively pursue scientific investigation and ascertain with sufficiency and precision what has been done either in the way of scientific research or in the matter of practical legislation by other inquirers and by other countries."

Question, That the Draft Special Report proposed by the Chairman be read a second time paragraph by paragraph,—put, and *agreed to*.

Paragraph 1, amended, and *agreed to*.

Paragraph 2:

Amendment proposed, in line 2, to leave out the word "very"—(Captain Sinclair).—Question put, That the word "very" stand part of the paragraph.—The Committee divided:

Ayes, 4.

Mr. Vaughan-Davies.
General Goldsworthy.
Mr. Pretymann.
Mr. Rothschild.

Noes, 4.

Mr. Harry Foster.
Sir Cameron Gull.
Sir Brampton Gurd.
Captain Sinclair.

Whereupon the Chairman declared himself with the Ayes.

Another Amendment proposed, in line 2, after the word "supply," to insert the words, "of certain kinds of flat fish particularly in the North Sea"—(Captain Sinclair).—Question proposed. That those words be there inserted.

Amendment

Amendment proposed to the proposed Amendment, to leave out the word "particularly"—*Sir Cameron Gull*.—Question put, That the word "particularly" stand part of the proposed amendment.—The Committee divided:

Ayes, 5.
Mr. Vaughan-Davies.
General Goldsworthy.
Sir Brampton Gurdon.
Mr. Pretyma.
Mr. Rothschild.

Noes, 3.
Mr. Harry Foster.
Sir Cameron Gull.
Captain Sinclair.

Question, That those words be there inserted,—put, and *agreed to*.

Another Amendment proposed, in line 2, after the word "Sea," at the end of the last Amendment to insert the words "but there is no evidence of any serious diminution of flat fish in other areas"—Question put, That those words be there inserted.—The Committee divided:

Ayes, 3.
Mr. Harry Foster.
Sir Cameron Gull.
Captain Sinclair.

Noes, 5.
Mr. Vaughan-Davies.
General Goldsworthy.
Sir Brampton Gurdon.
Mr. Pretyma.
Mr. Rothschild.

Another Amendment proposed, in line 5, after the word "grounds," to insert the words "of the North Sea"—(*Sir Cameron Gull*).—Question put, That those words be there inserted.—The Committee divided:

Ayes, 4.
Mr. Harry Foster.
Sir Cameron Gull.
Sir Brampton Gurdon.
Captain Sinclair.

Noes, 4.
Mr. Vaughan-Davies.
General Goldsworthy.
Mr. Pretyma.
Mr. Rothschild.

Whereupon the Chairman declared himself with the Noes.

Paragraph, as amended, *agreed to*.

Paragraph 3:

An Amendment made.

Paragraph, as amended, *agreed to*.

Paragraph 4:

Amendment proposed, in lines 4 and 5, to leave out the words "without prohibiting trawling altogether"—(*Captain Sinclair*).—Question, That the words proposed to be left out stand part of the paragraph,—put, and *agreed to*.

Amendments made.

Paragraph, as amended, *agreed to*.

Paragraph 5:

Amendment proposed, in line 6, to leave out the words "your Committee think the view of"—(*Mr. Pretyma*).—Question, That the words proposed to be left out stand part of the paragraph,—put, and *negatived*.

Another Amendment proposed, in line 7, to leave out the word "is," in order to insert the words "have expressed their view"—(*Mr. Pretyma*)—instead thereof.—Question, That the word proposed to be left out stand part of the paragraph,—put, and *negatived*.

Proposed words inserted.

Another Amendment proposed, in lines 11 and 12, to leave out from the words "against the Bill" to the words "part of," both inclusive, in order to insert the words "the fishing trade of Yarmouth, Lowestoft, and Brixham contend that the Bill would not prevent the destruction of small fish, while it would necessarily introduce harassing conditions. In this opinion"—(*Mr. Harry Foster*)—instead thereof.—Question, That the words proposed to be left out stand part of the paragraph,—put, and *negatived*.

Proposed words inserted.

Another Amendment proposed, in line 12, to leave out from the words "they consider" to the word "designed," in line 16, both inclusive—(*Chairman*).—Question, that the words proposed to be left out stand part of the paragraph,—put, and *negatived*.

Another Amendment proposed, in line 15, to leave out the word "favourable," in order to insert the words "not unfavourable"—(*Mr. Pretyma*)—instead thereof.—Question, That the word "favourable" stand part of the paragraph,—put, and *negatived*.

Proposed words inserted.

Other amendments made.

Paragraph, as amended, *agreed to*.

Paragraph 6 :

Amendment proposed, in lines 3 and 4, to leave out from the words "the size" to the word "gentleman," in order to insert the words "the Bill as it stood would do something to effect its object, although they all desired to see the size limit extended. An important witness"—(Mr. *Pretyman*)—instead thereof.—Question, That the words proposed to be left out stand part of the paragraph,—put, and *negatived*.

Proposed words inserted.

Other amendments made.

Paragraph, as amended, *agreed to*.

Paragraph 7 :

Amendment proposed, at the beginning of the paragraph to insert the words :—"The evidence laid before your Committee has shown that the present Bill would be absolutely ineffectual. The sizes mentioned in the Bill are too small to prevent fishermen resorting to places where small fish abound, and therefore the destruction of fish would go on as before. But while the Bill would do no good in the direction desired, it would cause considerable friction and entail the loss of much marketable fish. The fact that any serious destruction of small flat fish is only caused by trawling during certain months in the year and only, so far as the evidence at present goes, in the North Sea, would, in the opinion of your Committee, render it necessary that any legislation that might be introduced in the future should be limited to certain periods of the year and to the fish landed by trawlers from the North Sea fishing grounds"—(Sir *Cameron Gull*).—Question, That those words be there inserted.—The Committee divided :

Ayes, 3.

Mr. Harry Foster.
Sir Cameron Gull.
Captain Sinclair.

Noes, 5.

Mr. Vaughan-Davies.
General Goldsworthy.
Sir Brampton Gurdon.
Mr. Pretyman.
Mr. Rothschild.

Paragraph *agreed to*.

Paragraph 8 :

Amendment proposed, in line 3, to leave out the words "is at present sitting in Sweden," in order to insert the words "was held last year at Stockholm"—(Captain *Sinclair*)—instead thereof.—Question, That the words proposed to be left out stand part of the paragraph,—put, and *negatived*.

Proposed words inserted.

Other Amendments made.

Another Amendment proposed, in line 15, after the word "law," to insert the words "In regard to restrictive legislation affecting fisheries, and its result"—(Mr. *Harry Foster*).—Question, That those words be there inserted,—put, and *agreed to*.

Another Amendment made.

Paragraph, as amended, *agreed to*.

Paragraph 9 :

Amendment proposed, to add at the end of the paragraph the words "in the opinion of your Committee it is urgently necessary that a Commission or Committee should be forthwith appointed to consider the whole question of sea fisheries"—(Sir *Cameron Gull*).—Question put, That those words be there added.—The Committee divided :

Ayes, 4.

Mr. Vaughan-Davies.
Mr. Harry Foster.
Sir Cameron Gull.
Captain Sinclair.

Noes, 4.

General Goldsworthy.
Sir Brampton Gurdon.
Mr. Pretyman.
Mr. Rothschild.

Whereupon the Chairman declared himself with the Noes.

Another Amendment proposed, at the end of the paragraph, to add the words "with the view of determining whether any and if so what legislation may be desirable to effect the objects of

of the Bill"—(Mr. *Pretyman*).—Question put, That those words be there added.—The Committee divided:

Ayes, 5.

Mr. Vaughan-Davies.
General Goldsworthy.
Sir Brampton Gurdon.
Mr. Pretyman.
Mr. Rothschild.

Noes, 3.

Mr. Harry Foster.
Sir Cameron Gull.
Captain Sinclair.

Paragraph, as amended, *agreed to*.

Question, That this Report, as amended, be the Special Report of the Committee to the House—put, and *agreed to*.

Ordered to Report, together with Minutes of Evidence and Appendix.

Ordered to Report the Bill, without Amendment, to the House.

EXPENSES OF WITNESSES.

NAME OF WITNESS.	Profession or Condition.	From whence Summoned.	Number of Days Absent from Home, under Orders of Committee.	Allowance during Absence from Home.	Expenses of Journey to London and back.	TOTAL Expense allowed to Witness.
William Thomas Goodson.	Fisherman - - -	King's Lynn - -	2	£. s. d. 1 10 -	£. s. d. - 18 1	£. s. d. 2 11 1
Matthew Chase - -	Fisherman - - -	King's Lynn - -	2	1 10 -	- 18 1	2 11 1
Sir Thomas Brady - -	Ex-Inspector of Irish Fisheries.	Dublin - - -	3	3 3 -	5 3 -	8 6 -
Robert Kennar - -	Fisherman - - -	Brixham - - -	2	1 10 -	1 18 1	3 8 1
Dr. Wemyss Fulton -	Fishery Board for Scotland.	Banchory - - -	4	4 4 -	7 8 9	11 12 1
James Sydenham - -	Fisherman and Smack Owner.	Brixham - - -	3	2 5 -	1 18 1	4 3 1
Charles Hellyer, J.P. -	Fish Salesman - - -	Hull - - -	4	4 4 -	2 14 10	6 18 1
Harrison Mudd - -	Fish Merchant - - -	Grimsby - - -	4	3 - -	2 7 4	5 7 4
John S. McNaughton -	Solicitor - - -	Buckie - - -	4	8 8 -	7 14 5	16 2 3
James Cowie - - -	Fisherman - - -	Buckie - - -	4	3 - -	4 12 6	7 12 6
George Webster - -	Fisherman - - -	Great Yarmouth -	2	1 10 -	1 2 8	2 12 8
James Pitcher - -	Fisherman - - -	Great Yarmouth -	2	1 10 -	1 2 8	2 12 8
J. R. Johnson - -	Fisherman - - -	Great Yarmouth -	2	1 10 -	1 2 8	2 12 8
W. P. Glen - - -	Fish Merchant - - -	St. Andrews - -	3	2 5 -	3 13 5	5 18 5
Peter Sim - - -	Fish Merchant - - -	Broughty Ferry -	3	2 5 -	3 13 5	5 18 5
Walter Garstang - -	Naturalist on Staff of Marine Biological Society.	Plymouth - - -	2	2 2 -	3 12 4	5 14 4
				TOTAL	- - £.	93 11 1

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MINUTES OF EVIDENCE.

Tuesday, 19th June 1900.

MEMBERS PRESENT:

Mr. George Doughty.
Mr. Harry Foster.
General Goldsworthy.
Sir Cameron Gull.
Sir Brampton Gurdon.

Mr. Seale-Hayne.
Mr. Ritchie.
Mr. Rothschild.
Captain Sinclair.

THE RIGHT HONOURABLE C. T. RITCHIE IN THE CHAIR.

Mr. WALTER ARCHER, called in; and Examined.

Chairman.

1. You are Chief Inspector of Fisheries to the Board of Trade?—Yes.

2. Will you give the Committee some information with regard to the quantity of brill, turbot, soles, and plaice landed in England and Wales?—Yes. I have prepared a table which I hand in showing the quantity and value of those fish landed during the last ten years (*vide Table A*).

3. Perhaps you will give us the general effect of some of the figures?—It will be seen that the quantity landed is little more than maintained, notwithstanding the great extension which has taken place in recent years in the area fished and in the powers of capture; while the value has increased. In the period from 1890 to 1894 on an average 906,105 hundredweights of these fish were landed, as compared with 918,412 hundredweight in the period from 1895 to 1899, or a difference of less than $1\frac{1}{2}$ per cent.; while in plaice, which forms nearly 82 per cent. of the total catch, and for which there is a very extensive demand in our large inland markets, there has been a falling off, in spite of the opening up of the trawling grounds off Iceland and Farøe, and of the great increase of steam trawlers and the use of otter trawls. In the period from 1890 to 1894 on an average 746,348 hundredweights were landed, as compared with 744,859 hundredweights in the period from 1895 to 1899.

4. You have given us averages; can you give us some of the later years as compared with some of the former years?—In 1894, for instance, there were 855,408 cwt. of plaice. Shall I give you the totals?

0.26.

Chairman—continued.

5. Give us the total of which plaice is so large a percentage?—Take 1894—the fisheries seem gradually to have risen up to that point; that seems to have been the maximum take, in 1894. From 1890 they gradually rose up to 1894, and in 1894 there were 1,038,457 hundredweights of fish landed. From that date there is almost a continuous decrease until 1898, when there were 888,497 hundredweights landed.

6. That is as compared with what quantity in 1894?—1,038,457 cwt.

7. Those are the totals?—Yes.

8. Have you the figures for 1899?—Those show a slight increase again; 917,213 hundredweights.

9. Can you give us the figures for those years of plaice?—In 1894 there were 855,408 hundredweights of plaice, and in 1898 there were 715,760 hundredweights and in 1899 there were 752,438 hundredweights.

10. Showing a great falling off?—Showing a considerable falling off.

11. Now as to prices?—I have got here the separate price of brill, soles, turbot, and plaice.

12. What was the rise in price. Take the price in 1894?—The price in 1894 of plaice was 19s. $1\frac{1}{2}$ d. per hundredweight, and in 1899 it was £1 4s. $6\frac{1}{2}$ d. Turbot was £3 12s. $8\frac{1}{2}$ d. per hundredweight in 1894; in 1899 it was £3 19s. $5\frac{1}{2}$ d. The price of soles was £6 10s. $7\frac{1}{2}$ d. in 1894 and in 1899 it was £7 4s. 1d. Brill in 1894 was £2 11s. $5\frac{1}{2}$ d. and in 1899 it was £2 15s. 6d.

13. So that there has been a considerable rise in all varieties of flat fish, but the rise in the price of plaice has been greater than in any other

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kind

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Mr. ARCHER.

[Continued.]

Chairman—continued.

kind of flat fish. Is not that so?—That is the case. I think you will find the rise in the price of plaice has been very nearly 26 per cent. between 1894 and 1899.

14. And that is notwithstanding a very large additional capacity for catching?—Yes.

15. When did trawling off Iceland begin?—About 1892.

16. Are any of the fish mentioned in the Bill caught off Iceland?—Yes, very large catches of plaice are reported to be caught there.

17. So far as plaice is concerned, there has been since 1892 an increase in the fishing ground?—A very considerable increase.

18. And, notwithstanding that increase in fishing ground and in the capacity for catching, the quantity has largely decreased and the price has largely increased?—The quantity has decreased and the price has largely increased.

19. Have you formed any idea of what would have been the position of things if that new fishing ground had not been found at that time?—I think there can be no doubt that there would have been a very considerable decrease in the quantity of plaice landed.

20. In what way has there been an increase in the power of capture?—By the increase of steam fishing and the use of otter instead of the beam trawl. I put in a table showing the number and average tonnage of steam fishing boats on the register from 1883 to 1899 inclusive (*Vide Appendix, Table B*).

21. Will you give us a few of the figures?—In 1890 the number of registered steam fishing vessels was 338, and in 1899 it was 1,116.

22. Has there been a decrease in sailing vessels?—Yes, there has been a decrease in sailing vessels. The number of first-class sailing boats in 1893 was 2,037, and in 1899 it was 1,133, showing a falling off.

23. Could you give us any figures to show what increase in the power of catching there has been during those years? Can you estimate how much has gone out in the way of catching power by the decrease in the number of sailing vessels and how much the increase has been in consequence of the increased number of steamers?—It will be seen that the principal decrease is in sailing trawlers, there being 924 fewer in 1899 than there were in 1893, and that the principal increase is in steam trawlers, there being 529 more steam trawlers in 1899 than there were in 1893; and since steam trawlers are variously estimated as equal in efficiency to from three to five sailing trawlers, it will be seen that the falling off has been very considerable.

24. No, that the increase in the catching power has been considerable?—I beg your pardon—the increase in the catching power has been very considerable, yes.

25. There has been a change in the trawl, too, has not there, which has led to increased power of catching?—Yes, with the exception of a few paddle steamers, nearly all the steamers carry the otter trawl, which is a trawl with a spread of net of from 80 to 100 feet in place of the old beam trawl of which the beam was not more than 50 feet in length.

Chairman—continued.

26. Can you tell us the difference between otter and a beam trawl?—A trawl is a bag dragged along the bottom. In one case the mouth is kept open by a beam resting at the extremities on two iron heads or runners, and in the other—that is, the otter trawl—the beam is dispensed with and the mouth of the bag is kept open by the water acting on two heavy boards (like wind on a kite), which are placed on either side of the bag and connected by a head rope.

27. You are aware that this Bill has been introduced for the purpose of endeavouring to prevent the destruction of small fish? Has anything been done hitherto in this country to prevent the destruction of small fish?—I have in hand a statement showing the effect of bye-laws made by the Committees of Fisheries Districts round the coast with a view of protecting flat fish, and it will be seen from this statement that trawling is either prohibited or under some restrictions in all the fisheries districts of England and Wales (*Vide Appendix Table C*).

28. Are you familiar with an Act as to which a statement was made by Dr Fulton before the Committee of 1893—an Act passed in 1714?—I was asked this question: "I think there was an Act passed in the last century prohibiting the capture and the sale and landing, was it not?"—(A.) Yes, it was passed in 1714. Do you know anything about that Act?—Well, I am not personally familiar with it, but I know there was such an Act.

29. It was repealed. You are not familiar as to its operation or as to the reasons which prompted the repeal of it?—No, I am not.

30. You spoke about fisheries districts for the purpose of preserving fish. Do they exist all round the whole coast?—Very nearly, with the exception of a part of the Norfolk and Suffolk Coasts and the upper part of the Bristol Channel.

31. Would it be difficult for you to have a map showing the protection of the coast?—I think it would be a useful thing to have. I have a map (*producing same*).

32. Do you know what, generally speaking, has been the result of any of the proceedings of these fishery committees as far as small fish are concerned?—The result of those bye-laws is rather to restrict the size at which fish may be taken by enlarging the size of the mesh of the net or by prohibiting trawling in certain areas.

33. In some areas steam trawling is prohibited; in other areas both steam and sailing trawling are prohibited. Is not that so?—Yes.

34. That is done with the object of endeavouring to prevent the destruction of the fish?—That is so.

35. With regard to the question of the destruction of small fish, is it not more for the prevention of the destruction of small fish in the great fishing fields of the North Sea that legislation has been asked for?—Yes, that is so.

36. Much more so really than in regard to our own coast?—Yes, very much more so.

37. The destruction which it is alleged takes place is destruction not so much on our own coasts.

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Mr. ARCHER.

[Continued.]

Chairman—continued.

coasts, which are very largely protected, as you say, but on the great fishing fields of the North Sea?—That is so.

Captain Sinclair.

38. That is to say, beyond the coast?—Yes, beyond territorial waters.

Chairman.

39. Have you any information as to the regulations made by other nations on the subject of small fish?—Yes, I have prepared a table showing the minimum sizes at which fish may be sold in France, Denmark, Holland, Belgium, and Germany.

40. Something was said with regard to Germany when the discussion took place in the House of Commons, and it was alleged, I think, that it was only applicable to Prussia. Have you made any inquiries as to that?—Yes.

41. What is the result?—It is a Prussian law, but it has been extended by decrees to all the seaboard States of the German Empire, and, therefore, it practically applies to Germany.

42. Have you any information that you can give us as to whether or not the laws in the countries that you have named are rigidly enforced?—I have not made inquiry into that matter.

43. Would it be possible to get information as to the way in which the Acts are administered?—We could endeavour to get it.

44. Perhaps you will take care that some information is obtained; the Board of Trade could communicate through the Foreign Office, I suppose, with those various countries; they will be able to give the Committee, no doubt, some information on that point, which is a point of importance?—Yes.

45. If the laws which you state are in existence in those various countries are put effectively into force it would seem that the British market is the only market that is left open for small fish to be sold in?—Yes, that is practically so, with the possible exception of Norway and Sweden, where, however, I am given to understand there are some local restrictions.

46. Have you any reason to believe that these foreigners do catch small fish to land them here?—Yes, it appears to be so. In a letter from the Fishmongers' Company it is stated that Danish vessels have been landing at Billingsgate fifty tons of small fish per week, the landing and sale of which was prohibited in Denmark. I might further add that in another communication received from them in July, 1899—that is from the Fishmongers' Company—they intimated that small fish from all sources were reaching Billingsgate Market at the rate of 305 tons in each week.

47. Then it is to be presumed that if the sale of this fish were prohibited in this country it would not only have the effect of inducing our own fishermen to refrain from catching them, but it would practically close the market for the sale of fish caught by trawlers of other countries?—That is the presumption.

48. You spoke about the Sea Fisheries Districts round the coast?—Yes.

49. In these districts committees are formed, are they not?—Yes.

0.26.

Chairman—continued.

50. And these committees elect representatives to come to a conference annually at the Board of Trade?—Yes.

51. That is by statute, is not it?—Yes.

52. Have you made yourself acquainted with the representations which have been made at the annual conferences for some years past by these Sea Fisheries committees?—Yes; for some years past the Sea Fisheries committees have been pressing this Bill upon the Board of Trade, and have been urging it as one of the matters to which they attached the greatest importance, and at the last annual meeting, held the other day—I think the 29th of May—a resolution was unanimously passed supporting the Bill, and expressing a desire that it might become law.

53. I happened to preside at that meeting, and you will recollect that, after the show of hands with regard to the resolution had been taken, I invited any single member of all these various committees who was opposed to the Bill to signify the same by holding up his hand?—Yes.

54. And there was no hand held up?—That is so.

55. So that the resolution was absolutely unanimous?—Yes.

56. And your information is that that unanimity is a unanimity which has prevailed for some years at those conferences?—For some years—there was not actually the same unanimity in previous years as there was at this conference. I remember at the last conference there was one objector.

Sir Cameron Gull.

57. Does the conference extend to England only?—It extends to England only. The committees are formed under the Sea Fisheries Regulation Act of 1888.

Mr. Doughty.

58. That is the power given through the County Councils?—Yes.

Chairman.

59. Of course, these representatives really are gentlemen who represent the fish trawling industry, and they come forward and ask that this Bill should be passed, the effect of which would be to prevent these gentlemen themselves from selling these small fish?—Yes, that is so.

60. It has been alleged that a Bill of this nature is likely to press hardly upon certain classes of fishermen. Have you any observation to make on that?—It does not seem to me that it will do so, because it does not place any restrictions on the size of the fish which may be caught or prevent fishermen appropriating any such fish for their own use—it simply seeks to discourage the taking of small fish by making their sale illegal.

61. In your opinion would the provisions of this Bill be likely to prevent the destruction of immature fish and to increase the supply?—I hardly think there would be such unanimity on the part of those who press for the Bill unless they thought it was to be of some very material use to them.

62. It has been alleged that it is impossible really to avoid catching these small fish; what have you to say in answer to that objection? Are these small fish found in any particular part

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of

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Mr. ARCHER.

[Continued.]

Chairman—continued.

of the sea?—Yes. The greater weight of the evidence I may say seems to be that the nearer the shore (more particularly as regards plaice) the smaller the fish, and it is considered that if their sale was prohibited the fishing boats would not fish on the grounds where these small fish are found.

63. It is a well-known fact, I presume, that there are great flats which go out considerable distances from the shore in the North Sea. Is not that so?—Yes.

64. Do you know what the tendency of fish is; that is to say, as to the spawn? The young fish make for these shallows, do they not?—It appears that the young fish are chiefly found in the shallow water. I am speaking more particularly of plaice, which is the fish the Bill chiefly affects.

65. The idea is that if the sale of small fish were prohibited, the trawlers would avoid these fishing grounds—that it would not be worth their while?—That is the presumption.

66. It has been stated that as the law now exists, and as everybody is at liberty to sell these small fish in this country, that they all are liable to go into these shallows for the purpose of making up their catch?—That is so.

67. And it has also been stated, has not it, on behalf of these gentlemen who come to the fisheries conferences that as the law stands at present none of them care about placing a self-denying ordinance upon themselves as to going to those shallows, because they would not like others to go and they themselves to refrain?—Quite so. In 1890 they tried to place a restriction on themselves against going on to some particular grounds where these fish are taken, and they found as it was not compulsory, that it was not observed, and, therefore, the agreement which they had entered into very soon fell through.

68. Another allegation has been made that a very large percentage of these fish when they are caught would be dead when the trawl was taken up?—Yes, that is alleged. Much, however, seems to depend upon the length of time that the trawl is down and the nature of the bottom. The shorter the haul the larger the percentage of small fish which would survive. The general opinion seems to be that if the trawl were down a short time a greater number of small fish would live if thrown overboard at once, but if the trawl were kept down a long time and were hauled over a muddy bottom that few fish would survive. In the case of large deep sea trawlers, it is not very easy to lift the trawl frequently. The chances of survival appear to depend to some extent on the kind of fish captured. Soles are said to be hardier than plaice; plaice than dabs and flat fish generally than round fish.

69. Your general reply to all statements of the kind that they have indicated, is that if legislation of this kind were passed the trawlers would avoid the grounds where these fish are likely to be caught?—That is the reply.

70. What have you to say on a proposition which has been advanced more than once with regard to small fish, namely: that you can afford to destroy any quantity of these fish—that

Chairman—continued.

there is such an illimitable supply, that nothing that man can do in the way of destruction is likely to have a very serious effect on the fish in the sea?—I find that it is those investigators who hold that the supply of young fish and eggs in the sea is illimitable who attach the greatest importance to the prohibition of the capture of small fish. In this connection I may perhaps draw attention to the careful investigations made by Dr. C. G. J. Petersen, of the Danish Biological Station. Shall I read an extract from his report?

71. What year is that?—For the year 1898. He says: "It has always been hard for me to believe that there should be any want of egg-plaice in our seas, partly because Hensen's excellent investigations have shown what immensities there are of them, partly because myself see our seas filled up with such eggs. Have I ever been able to believe in any want of small plaice. Our shores in the Cattegat are crowded with them, so that it is hard to imagine that there could be any more individuals than there are. Nay, everything seems to me to indicate that it is not in the beginning, but in the middle of the end of the life of the plaice that we must look for the injury; for it is here that man interferes as a most troublesome factor. It must be granted, however, that things are somewhat different perhaps on the shores of Great Britain, and, of course, it is quite necessary that there are some fish which reach sexual maturity and are able to breed. But as to this there is no danger for our races of small plaice: the present size limit of 9½ inches (eight to the base of the caudal fin) protects even many spawning fishes. The object here is not to produce fish which are ripe or spawning, but fish of sufficient size, fish that are sufficiently saleable. For theories, the propagation theory and the growth theory, however, point towards the same practical measures, viz., protection of fish under a given length. We shall in the next chapter see how, just in our seas, there can be no unfounded hopes of beneficial results from such protection. Resumé: When the plaice fisheries have decreased so much in our seas of late years we must look for the cause in the fact that the plaice are generally fished before they reach their full value per pound in commerce—before they are sufficiently saleable." Dr. Petersen further claims that his investigations show that the plaice of nineteen to twenty-three inches in length, of which some years ago numbers were taken in the Cattegat, have become wholly extinct, whereas there is no falling off in plaice under 9·8 inches in length, namely, the size at which they may be legally sold in Denmark. He considers that the cause of this decrease is that the fish are taken three, six, or even twelve months before they have reached a profitable marketable size, and the remedy he recommends is the fixing of a size limit, below which it should be illegal to sell certain kinds of flat fish.

72. You are familiar with Professor McIntosh?—Yes.

73. Have you anything to say with regard to his statement that there is no falling off in the fisheries?—It hardly seems to me that that statement is supported by sufficient evidence, and it is certainly opposed to the official statistics which regard

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Mr. ARCHER.

[Continued.]

Chairman—continued.

regard to the quantity of fish landed and the increase in the powers of capture.

74. With regard to the small trawlers who bring in a number of small fish, would this Bill entail, do you think, unnecessary hardship upon them?—I think it would hardly entail greater hardship on them than is already entailed by byelaw round a very great part of the coast.

75. Is there anything else you would like to state to the Committee in connection with this Bill?—No. I think that is all.

Mr. Harry Foster.

76. The President asked you whether you had any personal opinion with regard to the effectiveness of merely prohibiting the landing and sale of fish below a certain size. I observed you did not give your own answer, but you told him what had been the opinion of other people. Have you formed any opinion yourself?—I answered the question in the way I did as it seemed to me, in the absence of definite statistics as to the size of the fish frequenting different parts of the sea, that we must be guided by the opinion of those who have had practical experience in trawling on the grounds in question.

77. I thought I understood you to say that this Bill appeared rather to discourage the taking than to prohibit the catching?—Yes.

78. And did I gather correctly your view: that merely to discourage the taking of fish below a certain size without preventing the catching of them was a perhaps roundabout way of going to work?—It seems to be the best way to do it at the present time.

79. It is an indirect way?—It is an indirect way.

80. Obviously this Bill would not prevent these undersized fish getting into the trawl, would it?—No.

81. And there is nothing in the Bill to prevent fishermen going to any particular ground?—No, the Bill contains no direct prohibition.

82. I think you told us there had been a good deal of regulation by the different fishery committees?—Yes.

83. That has all been, has not it, in the direction of preventing the catching of these undersized fish?—Yes, I should have to go through these notes to reply definitely, but I think I can safely say that, speaking generally, that is so.

84. Their regulations have been all in the direction of preventing any single fisherman from catching these undersized fish?—Yes.

85. Either by direct prohibition of trawling or by regulations with regard to the mesh of the net?—Yes.

86. So as to permit of the under-sized fish escaping from the net?—Yes.

87. I understood you to say that the areas where these small fish congregate are fairly defined?—Yes.

88. That is so?—Yes, I believe that is so.

89. So well defined that if it were illegal to land and sell these undersized fish the men know precisely where it is useless for them to go in future to catch them?—I believe that the grounds which it is desired to protect are sufficiently well known for the men to be able to avoid them if they wished.

Mr. Harry Foster—continued.

90. Therefore, if instead of discouraging them from going to those grounds you could actually prohibit them from going to those grounds that would be much more effective, would not it?—If it could be done.

91. If they could be kept off those grounds?—If they could be kept off those grounds.

92. They might still go there, might they not, for the sake of catching some bigger fish or hope to do so?—As I said before, I hardly think they themselves would ask for this prohibition of sale unless they thought it would be effective.

93. Forgive me, that is not my question; I said a fisherman might still go to these well-defined grounds in the hope of catching some bigger fish?—There is no direct prohibition in the Bill to prevent them from doing so.

94. You have read the evidence given before the Committee of 1893, I presume?—Yes.

95. You are aware that many fishermen state that they do not go out now for the sake of catching small fish, because the small fish would not pay them?—Yes.

96. But they go for the sake of the big fish; but that having got with the big fish a more or less quantity of small fish, they bring them home for what they will fetch?—Yes.

97. You are also aware, no doubt, by the evidence given before that Committee, that many hundred tons of these small fish are worthless when landed?—Yes.

98. They are destroyed?—Yes.

99. I daresay you remember the evidence of the Clerk of the Fishmongers' Company with regard to the destruction in one single year, to his knowledge, of over 700 tons?—Yes.

100. Does not that rather suggest to your mind the fact that the fisherman is not likely to go to grounds where he will only get small fish?—I think the evidence on that point is conflicting. I think that some of the fishermen said that the large fish which they would catch would induce them still to go to those grounds, but I do not think there was unanimity on that point at all.

101. I mean to say is not it rather a self-destructive argument to say that on the one hand, by preventing men from selling under-sized fish you would prevent them going to certain grounds where they deliberately go now to catch them, and on the other hand, that it does not pay at this moment to catch these small fish. Do not the two arguments seem to destroy one another?—But is not that surely going too far? It pays them, perhaps, to go to some of these grounds where there are a certain number of large fish, and where some of the fish which they catch are worthless, but it might not do so if they were not able to sell some of the small fish which are now saleable.

102. But you would say, I presume, that the fisherman to-day goes out in the hope of catching as large fish as he can get?—Yes.

103. Because the larger the fish the better the price?—Yes, quite so.

104. Whereas the smaller the fish the more they tend to worthlessness?—Yes.

105. Therefore, he is not satisfied unless he gets a fair proportion of large fish?—Quite so.

106. Has anything ever come before you, Mr. Archer, to suggest to you that a fisherman lets down

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[Conti.]

Mr. Harry Foster—continued.

down his net in any part of the sea in the sole hope of catching undersized fish?—No, I cannot say that anything has come before me to that effect; but I see from the evidence that he can now sell fish below 8 inches, and, therefore, it is more than possible, if he were prohibited selling fish under 8 inches, the larger fish he would get would not pay him to go on those grounds.

107. No, if he thought by going on those grounds he would only get the undersized fish?—Well, if he thought by going on those grounds he would not get a sufficiently large proportion of saleable fish.

108. You have mentioned the District Fishery Committees and the expression of their desire for legislation?—Yes.

109. Of course, they have had brought before them very forcibly, have they not, the lamentable destruction of undersized fish that goes on?—Yes.

110. And, I suppose, 99 people out of 100 would be in favour of doing something to stop that destruction if it were possible?—Quite so.

111. There has been some complaint with regard to the constitution of these Fishery Committees so far as the practical fisherman's point of view is concerned?—I have not heard of any such complaint.

112. Have you not read the evidence given before the Committee in 1893 on that point?—I have read it, but I do not call it to my mind.

113. There was evidence given by two or three who complained that it was practically impossible for a practical fisherman to be represented on that committee because of the expense, which he could not afford?—Because of the difficulty of attending the meetings.

114. Because of the difficulty of attending the meetings?—

Chairman.] Are you speaking about the committee or the conference?

Mr. Harry Foster.] The Committees which constitute the conference, who send up their delegates.

Chairman.] You are speaking of the Committees?

Mr. Harry Foster.] I am speaking of the actual local committees themselves.

Witness.] Yes.

115. Two witnesses gave evidence with regard to the constitution of the Devon Committee, and their complaint was that, whereas county council members of those committees had their expenses paid out of the county fund, those who were appointed by the fishing interest had to pay their own expenses as well as to lose their own time?—Yes, there has been a complaint.

116. Can you tell us whether anything has been done by the Board of Trade to remedy that?—No, we have not been able to do anything at present to remedy that.

117. It seems rather a serious practical grievance?—No doubt it does; but it is a very big question—the payment of members.

118. It is the fact, is not it, that the Board of Trade appoint out of the names submitted to them to those committees?—Yes.

Mr. Harry Foster—continued.

119. And the complaint was made on the inquiry that Plymouth, so far as the fishing interest was concerned, was practically unrepresented?—Yes.

120. So far as the practical fishermen were concerned?—Yes.

121. There are a great many business and professional men?—The members appointed by the Board of Trade have to have the qualification of representing the fishing interest.

122. They take a very broad view of that instance, a ship-owner?—Where it is not a practical fisherman it is usually a man nominated by the fishermen.

Mr. Harry Foster.] In the case of Plymouth the instance was given that the Board of Trade had appointed a ship-owner who knew nothing about the fishing trade as such.

Chairman.] Perhaps you will read the evidence.

Mr. Harry Foster.] I was endeavouring to give the purport of the evidence. Here is a statement by Mr. Holbry:—"I cannot fault with the way they are constituted, for the reason: We, as trawling people at Plymouth, have no representation at all in a sense. At the beginning there were twelve names nominated—some fishermen and some tradesmen about the neighbourhood, and these names had to go to the Board of Trade for them to select the members from. For the Plymouth fishing industry, it is, the trawling industry, a shipbuilder was selected. All credit is due to him as a gentleman, but he is not a fit and proper person to represent us, because he does not know a thing from a boat, I was going to say, and I do not think it is right that he should represent our interests on the Committee." I thought I was putting the matter rather mildly, "We do not have that one representative to represent the fishing interest at Plymouth on that Committee. Of course, I am speaking of the trawling industry. (Q) Do I understand you to say that this man was nominated by the Board of Trade?"—(A) He was selected by the Board of Trade. I was asking whether it is not the fact that many of the members of these Boards are professional men, solicitors and others?

Witness.] I am afraid I could not answer the question from personal knowledge of them.

123. Now, with reference to the quantity of fish landed—you were speaking of the United Kingdom?—England and Wales.

124. Have you any figures with regard to the quantity of fish landed from year to year in various Continental countries bordering on the North Sea?—No, I have not.

125. Do you know as a fact that they have been drawing considerable supplies from the North Sea, and that they have, like this country, very largely improved means of catching?—I should presume so, but I have not actual knowledge of it.

126. The point of my question is this that while the means of catching belonging to this country have largely increased, at the same time there have been other competitors in the field whose means of catching have increased, who have been also drawing large supplies?—Yes.

127. It

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[Continued.]

Mr. Harry Foster—continued.

127. It is, therefore, fair, is not it, in considering the question of the available sources of supply, to remember the fact that there are other people who are also dipping their hands, so to speak, into the bag?—Yes.

128. And drawing their supplies—increasing supplies?—Yes.

129. You have handed in a return with reference to the legislation of other countries, and I want to call attention to this, and to ask one or two questions about it. I see there it is a return which deals with France, Denmark, Belgium, Germany, and Holland, and that of those countries Belgium is the only country which at the present moment has any law in force dealing with the four classes of flat fish comprised in this Bill. That is so, is not it?—Yes.

130. According to that table Belgium appears to be the only country as to which there is a prohibition, as to the landing and sale of brill, soles, turbot, and plaice?—Yes.

131. In the case of France, France does not prohibit the sale of what we call undersized brill or turbot?—No.

132. She only deals with soles and plaice?—Quite so.

133. And in the case even of those two her limit of size is very much less than the limit proposed in this Bill?—Yes.

134. It is only $5\frac{1}{2}$ inches in the case of soles?—Yes.

135. And only $5\frac{1}{4}$ inches in the case of plaice?—Yes.

136. And she does not limit the landing and sale of brill and turbot of any size?—No.

137. When we come to Germany, she also does not prohibit either turbot, soles, or brill. She only deals with plaice?—Yes.

138. And there again the limit, although it is higher than France, is considerably under the limit of this Bill?—Yes.

139. It is 8 inches for soles, and 8 inches for plaice?—Yes.

Chairman.

140. One question to clear up this point; are you sure that the measurements are taken in the same way?—They have been transformed.

Mr. Harry Foster.

141. Now when we come to Denmark, Denmark does not prohibit the landing and sale of soles of any particular size?—No.

142. She only deals with brill, turbot, and plaice?—Yes.

143. And again the limits of size are under the limits of this Bill; they are all $9\frac{3}{4}$ inches?—Very much over in the case of plaice.

144. But in the case of turbot and brill?—A quarter of an inch under in the case of turbot and brill.

145. Then we come to Holland. Holland, I find, does not prohibit for brill or soles or turbot; she only deals with plaice?—Yes.

146. And the limit for plaice is $6\frac{5}{8}$ inches?—Yes.

147. When we come to the only country which does deal with those four, Belgium—the Belgium limits are below the limits of this Bill; soles 7½ inches. Is that exactly how it works out?—Yes.

Mr. Harry Foster—continued.

148. 7½; plaice 7½; brill 9½; and turbot 9½; so that apparently there is not a single country at this moment that has got from that point of view such a drastic measure as is proposed by this Bill?—Well, I do not know that I could quite agree to that, because in the case of Denmark the sizes are larger, and more particularly with regard to plaice. The size is larger with regard to plaice, which is the most important fish we seek to protect.

149. You think plaice is most important. Denmark does not deal with soles?—No.

150. Denmark is the only instance in which there is a higher limit of any of the fish, is not it, than is proposed by this Bill?—Well, in Belgium the limit is only slightly below.

151. That is the only case in which there is a higher limit, and that is in the case of plaice?—That is in the case of plaice.

Captain Sinclair.

152. In the extract you referred to from Dr. Petersen's report, when he says "seas" he refers to what are practically inland seas—he refers to the Cattegat?—Yes.

Mr. Harry Foster.

153. Have you any information at all to show us what is the nature of the restrictions, and to what extent it goes, whether it refers to inland waters or whether it refers to fish from whatever source they may be drawn, and whether it refers to an individual fishery or a percentage of the catch?—I could get that information for you; at present I could only answer it generally.

154. May I put this to you. Are you aware that in the case of Holland there must be at least one-twentieth part of the contents of a consignment, consisting of these under-sized fish before any penalty is incurred?—I should be speaking generally now with regard to those points.

155. You do not know whether that is so?—No; I would not say if that is so.

156. I may state that I have it from the Dutch Government that that is so, that 1-20th part must consist of the undersized fish. You told us something about Germany, and the statement that was made in the House of Commons, that that Act only related to Prussia, I think; have you the particulars of the Prussian Acts, which were passed?—No, I have not.

157. One in 1874 and one in 1880. Are you aware that the Act to which you refer relates to territorial and inland waters?—No, I am not.

158. And that it only refers to regulations as to the weight and size of fish that are caught in such waters?—No, I am not aware of that.

159. Then you spoke of the extension of that Act to the German littoral?—To the seaboard states.

160. Then, of course, you are not able to tell us as to the extension of that Act, merely applying in the same way to its limitations, namely territorial and inland waters?—No.

161. I have that from the German Embassy here as being the fact. Now, you spoke about the enormous increase in steam trawling?—Yes.

162. I would

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[Continued.]

Mr. Harry Foster—continued.

162. I daresay you would agree with the definition of some of the witnesses that that means not only an enormously increased catching power, but an increased destructive power?—Efficiency.

163. And therefore of course increased destructive power so far as the life of the fish is concerned; there must be a great amount of destruction from the point of view of catching the fish and destroying the fish?—No doubt the more efficient the means of capture the greater the quantity of fish caught.

164. And more effectually caught?—That is to say, the engines are capable of catching a greater percentage of fish present in the waters.

165. So far as you know would you agree with the evidence given in 1893 by one of the witnesses who spoke of the trawl as being so effective now that it would practically pick up a threepenny bit. And another as scraping the bottom until nothing was left, going over the ground again and again?—No, I could not agree with that. I take it that to pick up a threepenny bit there must have been a change in the way in which the rope works along the bottom, and I do not quite see such a change has come about. The rope always went along the bottom, and I do not see why it should pick up more now than formerly. The spread of the net is larger, but not its capacity for picking up.

166. Are not you aware that the steam trawler, unlike the sailing trawler, being independent both of wind and tide can fish again and again over the same area?—Quite so, so far.

167. For the purpose of scraping up as was said everything to be found there?—Yes, I thought you were referring to the way in which the net worked.

168. No, rather in its effectiveness in covering the area and catching everything there is to be caught?—Quite so.

169. You were asked a question as to the destruction and the percentage of the small fish that would survive when the trawl is brought up. The bulk of the evidence was, was not it, that in the North Sea the trawl is down from five to six hours, and practically the whole of the young fish are destroyed when the trawl is brought up?—I think that with big deep sea trawls a large percentage would be destroyed, but not the whole.

170. Obviously, the younger the fish the more the destruction of life?—Yes.

Captain Sinclair.

171. I should like to ask you about the three mile territorial limit; does that extend all round the coasts now? I think you handed in a map showing that certain parts of our coast are not protected?—Yes.

172. By the territorial limit—that is to say, they are not policed. In Scotland, as I understand it, the three mile limit is policed; it is thoroughly enforced?—So far as I am aware.

173. Especially so far as the North Sea is concerned?—I believe so.

174. When we come to the coast in England, is it there thoroughly enforced?—The map that I was going to hand in with regard to the coast of England was to show where Sea Fishery

Captain Sinclair—continued.

Committees had been formed, and I did not enter into the question of the difficulties which the Sea Fishery Committees had in enforcing their laws—it simply shows where there was no such bye-laws.

175. So far as England is concerned I understand where it is treated somewhat differently it allows the sea fishery committee to enforce any police regulation?—Yes.

176. Comparing such a method of protecting small fish with the method suggested by the Bill, of course the entire prohibition of fishing which would capture these small fish within the three mile limit—I gather from your answer would be more effective than the method of the Bill; the complete prohibition of all trawling we will say, within the three mile limit: would be obtained by effective policing: would be more effective than simply this Bill: you describe as seeking to discourage small fish?—I can hardly go so far as to say I think, because if you were to prohibit fishing within the three mile limit it would only apply to a limited area, whereas what one is seeking to protect under this Bill are not within the three mile limits, but the shallows on the eastern side of the North Sea.

Chairman.

177. And not the three mile limit there at all?—And not the three mile limit there at all.

Captain Sinclair.

178. You want to protect outside the three mile limit?—Yes.

179. I understand the three mile limit is protected there?—On the eastern shore—that is a territorial limit.

180. Is there any effective system of policing in those countries to which allusion has been made. We know, I think, that Denmark has made an effective system of policing which is very conspicuous in Iceland; but is there any effective policing on the coasts of Belgium, France, and Germany?—I will make inquiries with regard to how the law is enforced there.

181. As to opening packages—if this is the proper witness—I should like to know whether there are any other similar Acts of Parliament giving authority for closed packages of this kind to be opened; I do not know whether there is any precedent for the proposal in this Bill?—I should have to look up that question; I cannot answer it definitely; but, speaking generally, I may say that under the Salmon Fisheries Act 1892, there is a precedent.

Mr. Harry Foster.

182. You would have rather a difficulty in finding a precedent?—I am simply not wishing to commit myself, not having a copy of the Act with me, but I think there is a precedent.

Chairman.

183. Are not you aware that the provisions of that particular clause are taken absolutely from a statute which affects fishing?—I believe so.

184. May I ask with regard to that, is there not, under the Sea Fisheries Regulation Act of 1888 some such procedure?—Yes, I think so, but I have not the Act here.

185. Yes.

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[Continued.]

Chairman—continued.

185. You mentioned that in England the Sea Fisheries District Committees had proceeded in two ways. They had made bye-laws restricting the size of nets and bye-laws restricting trawling within the territorial limit; are there any statistics to show what comparative effect these two methods have had on the supply of such fish as would be affected by this Bill?—No, I am sorry to say that the Sea Fishery Committees do not give us statistics as to the results of their bye-laws.

186. Since 1893 I think there has been a large prohibition, taking it all in all, of trawling within the three mile limit round these coasts?—Yes.

187. Is there anything to show what the effect of that has been in reducing or increasing or influencing the supply of fish which would be affected by this Bill?—I think that the only statistics which there are to show what has been the effect on the capture of fish since 1893 are those which I have put in showing the quantity of fish caught.

Mr. Harry Foster.

188. From all sources?—From all sources.

Captain Sinclair.

189. Referring to that you quoted Professor McIntosh's evidence as not being supported by sufficient evidence; but am I not right in gathering that Professor McIntosh's evidence is not put forward dogmatically. He admits that all his deductions are more or less experimentally. He admits that all his deductions are more or less experimental. They are more or less tentative as to the decrease of the supply of fish?—The book to which I am particularly referring is "The Resources of the Sea," which is, to a great extent, a criticism of the Fishery Board for Scotland's experiments.

190. But they are more or less tentative—his statements?—He seems to come to a very fairly definite conclusion as to there being no falling off in the fisheries.

191. You mentioned the figures given by, I think, the Billingsgate authorities, showing that a certain number of tons per week were landed at Billingsgate Markets; were those fish fit for human food?—Yes, so far as small fish can be fit for food. I take it that they wrote that letter to us as particularly showing the quantity of small fish which were landed.

192. Of course this Bill by so much—whether a good or bad result is apart from the question—reduces the supply of fish in the markets?—It would reduce the supply of small fish coming into the market.

193. If we may assume upon a point raised by the Chairman, that this Bill will withdraw from the markets a certain proportion of fish now brought for sale, I understand that you assented to a question put by the Honourable Member opposite on the evidence given before the Sea Fisheries Committee in 1893. You assented to the statement in that evidence to the effect that a very large proportion of these immature fish will still be caught, and must from the length of time that the trawl is in the water be dead; and, therefore, their lives cannot be

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Captain Sinclair—continued.

saved by being returned into the sea?—I do not think I assented to the proposition that a very large quantity of them would be caught. I thought what I assented to was that a very large quantity of those which were caught would be destroyed.

194. That is quite correct. That is a very legitimate correction. I understand on that point you said fishermen do not go to the places in order to catch small fish; they prefer to go and catch large fish?—Quite so.

195. And you say defined areas were well known as being the grounds upon which large fish would be more probably caught than small fish. Shall I put it the other way?—Please.

196. Are these grounds constant in position and limit, may I ask; that is to say, do these grounds vary from year to year?—They vary at different times of the year, that is to say, according to the evidence given before the Committee of 1893, it was particularly at one time of the year that small fish were caught on the grounds in question—the eastern grounds.

197. It would be difficult to define them?—I should hardly think so. I know that they were defined by the fishermen themselves in 1890, when they proposed the resolution that trawling should be prohibited there.

Sir Cameron Gull.

198. The figures that you began your evidence with, I understand, were extended to the whole coast—the English and Welsh coast?—Yes.

199. Have you any statistics which could throw any light on the question of whether or not there is any decrease of these flat fish on the south coast and the Bristol Channel?—I have not taken out such figures.

200. They could be got?—They could be got approximately, but I do not think that the figures with regard to the individual coasts would be very reliable on account of the supply at some of the ports being drawn from distant fishing grounds.

201. Could you say whether, in your opinion, or not, there is any serious decrease on the west coast?—I think the principal decrease, speaking generally, has been on the east coast.

202. Practically all your evidence has gone to the question of the east coast?—No, the tables I have put in relate to the whole of England and Wales.

203. But your subsequent evidence as I followed it dealt almost exclusively with the east coast, and the difficulty in the North Sea?—That is no doubt the principal difficulty, but we have complaints not only from the North Sea but also from other places, more particularly the Lancashire coast.

204. Have you any evidence at all as regards the capture of considerable quantities of immature fish on the south coast and in the Bristol Channel?—I do not for the moment call to mind complaints coming from there.

205. Do you know any areas of that part of the coast which are particularly occupied by these small fish, corresponding to those on the east coast?—There are a number of bays along the south coast for which the committees have made bye-laws.

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206. But

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Mr. ARCHER.

[Continued]

Sir Cameron Gull—continued.

206. But outside territorial limits?—No; I do not know of any outside the territorial limits.

207. Now, as to the destruction of these small fish; I think the evidence goes to show that it is largely caused by the trawlers. Is that not so?—No doubt flat fish are principally caught by trawlers.

208. And, therefore, the destruction which has been proved, or we will assume with regard to the North Sea, of these flat fish, has been largely, if not entirely, caused by the trawlers?—It has been caused by those boats, of course, because they catch the flat fish.

209. And they are trawlers?—And they are trawlers.

210. And the evidence goes to show that the trawls are down from something like 5 to 6 hours?—Yes.

211. Therefore nearly all these fish are dead, or nearly 80 to 90 per cent. of them?—There is a large destruction.

212. And that, therefore, these fish now, so far as this country is concerned, would be wasted; they would have to be thrown overboard, and wasted, except so far as the men wished to use them themselves?—Of course, the presumption is that the men would not fish on the grounds where there are large quantities of these small fish.

213. That is the presumption; but supposing they do and there is nothing to prevent them, these fish, so far as this country is concerned, are to be thrown overboard?—No, they need not be thrown overboard, but they must not be sold.

214. What are you to do with them?—The only prohibition under the Bill is not to sell them.

215. What do you propose to do with them?—They can be given away or they can be consumed by the fishermen themselves.

216. Are you going to prevent them being thrown overboard?—No, there is no prohibition to that effect.

217. If by accident they come across one of these nurseries and they get a large amount of these fish they are to be thrown overboard?—There is nothing in the Bill to that effect.

218. Have you considered whether or not throwing overboard large quantities of dead fish has any effect on the fishing grounds?—I should not think it has.

219. Do you remember the evidence before the Committee of 1893?—I remember it was said it might damage the fishing ground.

220. Considerable numbers of practical fishermen came and said it would do considerable damage?—I remember it was said so, but I should not agree.

221. Now as to the international regulations. You stated to the President that the English market was at the present moment practically the only one for these fish. Do you remember some evidence was given by a witness from Germany before the Committee of 1893. The question was asked as to whether the English market was the only market. He said no, undersized fish are by no means only sold in England, but also find a market in Sweden, Denmark, and Germany?—I made a qualified exception with

Sir Cameron Gull—continued.

regard to Norway and Sweden. I do not see he could be correct in saying they could be in Denmark, seeing there is a direct prohibition against their sale in that country.

222. But not as regards soles?—No.

223. And as regards these foreign laws, will not say anything about their being enforced, but assume they are enforced, suppose this Act is passed and this Bill goes through, though these fish undersized named in the Bill could not be disposed of in this country, the fishermen could get rid of every one of the undersized fish in one or other of the foreign countries. They could send small soles to Denmark, brill to France, Holland, and Germany; they could send turbot to France, Germany, Holland. Plaice is the only exception. That exception they could send the other fish and get rid of them all in foreign countries.—Plaice is the exception.

Chairman.

224. That is the most important?—Yes.

Sir Cameron Gull.

225. Do you remember the evidence of Professor Calderwood in which he said he omitted plaice?—Yes.

226. He said he could not make any suggestions with regard to plaice; he should not impose any restriction. Do you remember that?—I do not remember.

227. It is question 4429: "So that you come from your recommendation the most important fish which we want to protect, do you not?" Yes; because I find the plaice varies so greatly in the size at which it spawns that often the system of limiting the size would make it impossible to have one limited size applicable to the whole coast." So he makes no suggestion on that point?—If I may say so I think the evidence goes to show that he wishes to protect the fish so as to enable them to spawn.

228. I will come to the question of the law. He does not make any recommendation as regards the small size. In answer to the question you said you knew nothing whatever about the old law which was in existence in this country for something like 150 years prohibiting the capture and sale of small fish?—I think I said that I know that there was such a law, but that I did not know the details.

229. Or the circumstances under which it was passed?—Yes.

230. Or as to the history of that Act for 150 years, or the reason why it was repealed?—I think I said I did not know the details.

231. Perhaps if you do come across anything in the Board of Trade you will let us know. Now, as to the Bill as it stands; if any fisherman sells a single one of these small fish he is liable to a heavy fine. Would you have any objection to some limitation like there is in some of the foreign laws requiring that a certain portion of the catch or the box should consist of these small fish?—I think it might be difficult to make a provision.

232. Why?—If you had a regulation that out of any one consignment, or out of every lot of fish put up for sale, a certain proportion of them might

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[Continued.]

Sir Cameron Gull—continued.

might be under the limit, I think there might be difficulty in carrying out such a provision.

233. Do you remember Mr. Berrington in 1893 suggesting there should be some exception?—I remember that. I think he suggested 7lbs. I do not mean to say it could not be done, but it would require great care.

234. Do you not think that some provision of that kind would be very reasonable?—I think it might be a very good thing if it could be carefully safeguarded so as to prevent men putting up a number of small lots each containing 7lbs. of small fish.

235. But as regards the smaller man, I do not care so much about the big companies—they can take care of themselves—but as regards the smaller men it is extremely hard, surely that a man who goes out and gets a very small catch, and who has a certain number of these fish there which are dead should be prohibited from making what he can of them; and if any officious person comes and finds out he is liable to be fined?—With regard to the smaller man, I do not think what I have said with regard to the fish being dead would apply—the smaller men usually lift their trawls more often.

236. The sailing trawlers?—Yes.

237. Do not they keep them down for a time?—You will see that by some of these bye-laws they are required to lift their trawls. That is one of the regulations in these bye-laws.

238. That is only territorial trawlers. Take the trawlers in the Bristol Channel. There is no regulation possible as regards lifting their trawls?—There is no regulation; I was not referring to Brixham trawlers.

239. As to these other men, there is no bye-law which could require them to lift their trawls, and they do, as a matter of fact, keep them down?—I was asked as to small trawlers. I drew attention to the fact that they did not keep their trawls down, but Brixham trawlers I should not include in the term small.

240. They are sailing trawlers?—Yes, but not small.

241. When the fish are brought on board, can you tell us how they are to be put up in boxes?—Every fish is handled—therefore, there would be no difficulty in sorting them to throw them overboard.

242. They are not shovelled up?—No.

243. That is not exactly what the evidence before the Committee of 1893 amounted to, at least I gathered that several of the fishermen said that there would be great difficulty in the separation. You do not agree with that?—No.

244. Still, you have no practical experience?—No; I only know what I am told with regard to that matter.

245. That we can get from other witnesses. Now, as regards the size; on what ground have the sizes of 8 inches for soles and plaice, and 10 inches for brill and turbot been settled?—They were settled by the Committee of 1893.

246. The Sea Fisheries Annual Conference?—No.

247. This Committee (referring to the Sea Fisheries Committee of 1893.)?—Yes, that committee.

0.26.

Sir Cameron Gull—continued.

248. Are you aware that nearly the whole of the scientific evidence before that committee went to show that in the opinion of those scientific gentlemen, such a size was quite useless?—Yes, but as I have pointed out, they based their conclusion upon what Dr. Petersen calls the propagation theory, and not upon the growth theory; they considered that there were not sufficient fish hatched and that it was necessary to increase the quantity of fish which were hatched. The later investigations made in Denmark and Germany would seem to point in the opposite direction; they point to the theory that there are plenty of small fish, but that what is required is to allow them to grow to a saleable size.

249. You say that the Sea Fisheries Committee were in favour of this Bill?—Yes.

250. All round the coast?—Yes.

251. And the annual conference was unanimous?—Yes.

252. Can you tell me as regards the annual conference how many practical fishermen were present?—Well, I could not tell you at the present time, but there were some practical fishermen there who spoke very strongly in favour of the Bill.

253. Men who own their own boats?—Men coming up in blue guernseys.

Chairman.

254. How many were there present should you suppose at the conference—I mean individuals?—I should think there were 30 or 40.

Sir Cameron Gull.

255. All practical fishermen?—No, people.

Mr. Harry Foster.

256. Were there half a dozen fishermen?—I observed one or two in their guernseys, and there were other men speaking as such.

Sir Cameron Gull.

257. Are you aware that objections to the restriction of the size of flat fish came in 1893 from Plymouth, Brixham, Lowestoft, Ramsgate, Torquay, Skegness, Blackpool, and Liverpool, and Ireland, and, as far as I remember, the only practical fishermen, with the exception of Hull and Grimsby, who came and spoke in favour of the Bill, came from Ireland?—I think some of those witnesses who gave evidence in 1893 against the Bill will be found not to be in favour of it.

258. And modified their views?—I think Mr. Little, if I remember rightly, gave evidence against the Bill; he has since modified his view.

Chairman.] I see exactly why you are putting these questions, but Mr. Archer cannot possibly answer them.

Sir Cameron Gull.] In the Bill as it stands the sale is the only thing that is prohibited?

Witness.] Yes.

259. I understand that it is quite clear that men may do anything they like except sell?—So I understand.

260. They may exchange?—I have not considered the point of whether they may exchange or not, but I am not aware at the present time that

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[Continued]

Sir Cameron Gull—continued.

that there is any prohibition with regard to exchanging, provided it does not come under the definition of selling.

261. Then as to the officers who are proposed to enforce this Act—the Custom House officers—have they any special knowledge of fish?—I do not quite know what particular knowledge would be required.

262. Would they know a sole from a lemon sole; would they know a small sole from a dab or a rough dab or these various other fish?—I should think so.

263. Then the Board of Trade may appoint any other officer?—Yes.

264. A policeman. Anybody may be appointed to investigate these packages and may open them?—Yes.

265. And that would necessitate taking them out of the train, assuming they were in the train, and therefore they would lose the market in all probability whenever there was a suspicion. It is most likely that the fish which was under suspicion and had to be examined would lose the market?—It would probably be examined at the market, I should think.

266. It would not be examined at the railway station?—I should think not. I should think the market would be the most convenient place to examine it.

267. Is there any intention of the Board of Trade to put in the Bill any condition as to where fish is to be examined?—Not that I am aware of.

268. And therefore it is open to a Custom House officer or any other officer to investigate these packages at any place during transit?—I fancy there is no direct prohibition to that effect.

269. Would the Board of Trade have any objection to saying that this examination must take place at the port of landing?—We could consider the point; I should not like to give an opinion offhand.

270. But you see the danger—that this might be done at a station in transit and the market might be entirely lost—I should hardly think that where the responsibility is vested in the Board of Trade and the Custom House, two Government Departments, it would be in the least likely to be exercised unreasonably.

Mr. Harry Foster.

271. The Bill contemplates delay and loss of market by an express clause saying there shall be no compensation?—If such loss occurs.

272. It contemplates the loss of market and protects the Board of Trade?—Yes.

Sir Cameron Gull.

273. I suppose no scientific experiments have been made as to the destruction of small fish otherwise than by man. I mean what is the loss of small fish?—The proportion of loss?

274. Yes?—The only experiments that I can call to mind at this moment were those to which I have referred, namely, those of Dr. Petersen, where he finds the loss does occur just at the size at which the fish become marketable.

Sir Cameron Gull—continued.

275. You said in answer to the last question of the President that the small trawlers you thought would not be much more damaged by this Bill than they are under the bye-laws. What bye-laws did you refer to?—I alluded to this list of bye-laws which I have here. I think we perhaps disagree as to the words "small trawler." I think you are referring to the Brixham trawlers.

276. Perhaps. I will say sailing trawlers. That remark would not apply to trawlers like the Brixham trawlers, which trawl outside territorial waters. I do not think they would be injured. Our position is that nobody would be injured, that everybody would be benefited.

Captain Sinclair.

277. On what does Mr. Archer base that observation? Will Mr. Archer give his opinion as a man of experience in administering sea fisheries. Will he tell us what contribution to the formation of such a conviction on his part if it amounts to conviction?—That if you allow fish to grow larger it will necessarily be more valuable.

278. May I put it in this way; what causes the destruction of the fish? Is that captured roughly speaking?—Yes.

279. Do I understand from you that you see any reason to dissent from this passage in the report of the Sea Fisheries Committee of 1899, page 4: "The prohibition of the capture of these fish is not suggested, and indeed is admitted as all hands to be impossible"?—No.

280. You do not dissent from that?—No.

281. As I understand it it is this. The capture of the fish is what destroys the small fish. It is impossible to prohibit the capture?—So far as I agree with you.

282. What ground is left for hoping that the Bill will have any appreciable effect whatever on the fish food supply of the country?—Because I think, as I told you to start with, that what is hoped is, and in fact the intention is, that the men which the Bill is put forward is, that the fishermen will not frequent the ground where these young fish are found.

283. "The prohibition of the capture of these fish is not suggested, and indeed is admitted as all hands to be impossible." Mr. Archer, I understand, assents to that. Mr. Archer, I understand, assents to the further proposition that it is the capture of the fish which affects injuriously the food supply. Then I gather that even if this Bill is likely to be beneficial its influence cannot be great?—I do not know that I have said anything which would lead to that inference.

284. There are only two classes of fishermen. There are those who fish with the line, broadly speaking, and those who fish with the net. With those who fish with the line and the smaller trawl we have very little to do. In the one case assuming that these fish are not profitable they will not catch them, or if they catch them they will put them back into the sea alive. When we come to the deep sea trawlers the situation is somewhat different. The trawl is down, I understand, for four, or five, or six hours, and you do not suggest that the evidence given before the

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[Continued.]

Captain Sinclair—continued.

the Committee in 1893 was unsound, to the effect that 90 per cent. of the fish in the trawl are dead—especially the small fish?—There is a large proportion dead.

Mr. Doughty.

285. I suppose, Mr. Archer, you could find, if you desire to do so, questions and answers in this evidence that would disprove or prove any particular question almost that might be put to you in respect to fishery questions?—I think so.

286. Having studied the evidence, and knowing what you do generally of the condition of the fisheries of this country, will you say whether you agreed with the findings of the Committee of 1893, when they said, "The great falling off, too, in the size of the flat fish caught on the older fishing grounds in the North Sea, is also a matter of universal observation," and further, "they are of opinion that the size limit below which the sale of small flat fish should be prohibited, should approximate to that already adopted by foreign countries; and they would suggest a limit of 8 inches in extreme length for soles and plaice, and 10 inches for turbot and brill." After all your observation and consideration of this question do you adopt in principle the findings of that Committee?—At the present time I think it is the best that can be done.

287. So far as your study of the question has gone from 1893 up to the present, you say that nothing better can be done for the moment, but the adopting of this broad view?—That is my opinion.

288. You have been asked by one of the Honourable Members as to whether there were any fishing grounds around England apart from those referred to in other countries, where there was any destruction of immature fish. Are you aware that in the Lynn Deep and Smith's Knoll such flats and such fishing grounds do exist?—Yes; but I thought the question put to me was particularly with regard to the south coast.

289. Do you agree with Mr. Jeffs, who gave evidence in 1893. He said at page 29, question 637, "Yes, on our own shores, namely the Lynn Deep, and Smith's Knoll, and that portion where small soles abounded for years, and have been caught by the million. I thoroughly believe that one great source of the mischief that has been done, by the people of Yarmouth and Lowestoft in particular, has been the sale of what we call tongue soles, four, five, six, and seven inches in length."

290. Have you had any evidence of that brought before you?—I cannot say that I have from that particular place, beyond what I see in the Report of the Committee of 1893.

291. Still you adhere to your expressed opinion that round the coast of England there are grounds which should be protected by this particular Bill?—Undoubtedly.

292. You have been asked several questions respecting the destruction of small fish at Billingsgate, and there is a statement in the Evidence of 1893 that some 700 tons per year was destroyed. Have you any evidence from 1893 as to what has taken place?—I spoke, I think, in my evidence in chief with regard to a communication which we had received from the Fishmon-

Mr. Doughty—continued.

gers' Company, stating the quantity of small fish which were destroyed per week. I may further add that in another communication from them in July, 1899, they intimated that small fish from all sources reached Billingsgate at the rate of 305 tons in each week.

293. That is not the point. I am on the question of the destruction of fish. The question asked you by my honourable friend opposite was as to whether there was not evidence that 700 tons of small fish per week was condemned at Billingsgate?—

Mr. Harry Foster.] Not per week.

Mr. Doughty.

294. Per year. Is there any evidence of the destruction of any small fish during the last three years, say?—I have not that evidence before me at the present time.

295. You do not know what the quantity of fish is that is condemned either for being bad or otherwise?—I could get that information, but I have not actually got it at the present time.

296. You have been asked questions about the Act repealed in 1868. Can you give us any valid reason why such an Act should have been repealed then?—I think I said that I could not. Are you referring to the Act of 1714?

297. Yes?—I think I said with regard to that that I could not go into the details of it.

298. Do not the figures of the Board of Trade prove that before that period the fishery industry of the United Kingdom was a comparatively small one?—Prior to 1868?

299. Yes?—Our statistics do not go back as far as 1868.

300. I should like to call attention to the figures you have produced and particularly in relation to plaice, because this Bill, if it is to improve any branch of the industry at all, is to improve that in relation particularly to the supply of plaice. In 1890 I understand you to say there were 51,000 hundredweights of plaice, and in 1899 65,000 hundredweights, whereas in 1890 the value was 579,000*l.* and in 1899 it was 922,000*l.* Is it from those facts that you have come to the conclusion that something must be done if this industry is to be saved?—Yes, it is from those statistics.

301. Can you call attention to any other branch of industry reported to the Board of Trade where such remarkable figures can be produced?—I do not think so.

302. More especially taking into consideration the fact that in 1890 there were only 338 steam trawlers, when in 1899 there were 1,116. I am anxious to get the witness's opinion as to whether there is any other branch of industry in the country. You cannot give that?—No, I only have to do with the fisheries. I could not give it with regard to the other industries.

303. I think there has been some doubt thrown upon the construction of the Sea Fishery Committees round the coast. You have had a lot of experience of these, have you not?—I have held my present office for about two years now.

304. What is your opinion of the Committees themselves; are they average men?—The Committees are composed of members elected by the county

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Mr. Doughty—continued.

county councils and members appointed by the Board of Trade, and in the case of members appointed by the Board of Trade we take the very greatest possible trouble to try to get practical fishermen who will represent the interests of the different localities up and down the coast.

305. Do you think they are gentlemen capable of guiding you to a satisfactory conclusion?—Certainly, I think so.

Sir Brampton Gurdon.

306. It is not intended by this Bill to interfere in any way with the catch or using of under-sized fish for bait?—No.

307. But, of course, you are aware that there are some localities in which under-sized fish are necessarily caught with others, and there are other localities in which under-sized fish are very rarely caught, and that, therefore, under-sized fish are transferred for the purpose of bait from one locality to another; and I suppose under this Bill no consideration could pass even if they were transferred from one boat to another at sea (nobody does a thing without consideration) and I suppose it would practically be illegal?—I think so, if they were sold, as the sale for whatever purpose is prohibited.

308. Of course they are not exposed for sale, but it is very common among fishermen to have a surplus of under-sized fish to transfer them for bait to other fishermen, and they would have some advantage—that would be illegal under this Bill, I suppose?—That would be a question for the courts of law to decide where exchange ceased and sale commenced.

309. Would you see any objection to the amendment of this Bill, if it could be done without spoiling it in order to allow the sale of bait in that way, to transfer from one fisherman to another?—I cannot help thinking that there would be a good deal of danger in permitting the sale under any circumstances whatever.

310. You see that it is rather a hardship in some cases?—Yes; I am trying to call to mind any cases in which it would be a hardship, and I do not know of any case at the present moment.

Chairman.

311. If it were possible to bring about an international agreement by which all fishing both of subjects and of foreigners was prohibited in certain defined areas—that you would regard with satisfaction, I presume?—If it could be done; but I am speaking not of the international difficulties, but of the practical difficulties of policing large areas of water. The areas would extend a considerable distance from land, and there would be very great difficulty in carry out any such regulations—practical difficulties.

312. You are aware that in our own territorial waters there is very great difficulty in adequately policing them?—Very great difficulty.

313. And with regard to any international agreement by which the area of waters in which fishing were prohibited was extended the difficulty is not so much in getting an agreement

Chairman—continued.

as in enforcing any agreement that may be arrived at?—Quite so.

314. You were asked with regard to a provision in the Bill as to searching for immature fish and asked whether there was anything analogous to it in the existing legislation. Have you got a copy of the Act of 1888 there—the Sea Fisheries Regulation Act, Clause 6?—Yes.

315. Is it not the fact that Clause 6 provides that officers appointed may “stop and search any vessel or vehicle used within the district in fishing or in conveying either fish or any substance the deposit or discharge of which is prohibited or regulated by any such bye-laws; (b) search and examine all instruments used in catching or carrying fish; (c) seize any sea fish or instrument liable to be forfeited in pursuance of any such bye-laws”?—Yes.

316. That is practically analogous, although not the *ipsissima verba* to the provisions in the Bill?—Yes.

317. And further with regard to officers: you look at Clause 7, is it not enacted therein that “It shall be lawful for any Justice of the Peace upon information on oath that there is probable cause to suspect any breach of any bye-law made under this Act to have been committed on any premises, or that any sea fish or instrument liable to be forfeited in pursuance of any such bye-law is concealed on any premises by warrant under his hand and seal to authorize and empower any fishery officer appointed under this Act, or any police officer, to enter the premises for the purpose of detecting the offence or the concealed fish.” Is that so?—That is so.

318. And if any objection can be taken to the want of knowledge on the part of any Customs House officer with regard to the provisions of this Bill it applies equally to all such individuals as are empowered under the Act of 1888 to perform very much the same duties?—Quite so.

319. You have been asked a great many questions with regard to the evidence in the Bill and generally with regard to the reasons why the Board of Trade have had for the provisions in the Bill. Broadly speaking, may I ask you this. Are you not aware that representations in favour of this Bill or of some such provision in this Bill have come from every part of the kingdom, and from all representatives of fishery committees at the conference, and that the opposition to the provisions of this Bill have not come from any fishery committee, but from persons interested of course in certain localities along the coast?—Yes.

320. And that these representations have been confined to half-a-dozen at the outside?—Yes.

321. From points along the coast?—Yes.

322. And that with this single exception so far as you know every person associated with the fishing industry has been in favour of the provisions of this Bill?—Yes.

323. And that the great trawling industries of this country, which are most interested in the catching of fish, have desired to be prohibited from selling fish of this kind?—Yes.

324. And also you have been referred to certain evidence that has been given before the Committee of 1893. Is not it the fact that the Committee after having heard all the witnesses

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[Continued.]

Chairman—continued.

or and against such prohibition as that contained in this Bill, came to the conclusion that a measure similar to this ought to be passed?—Yes.

325. Are you aware of the majorities by which the recommendations of that Committee were carried?—I should have to look it up to refresh my memory.

326. You are not aware?—I am not actually aware at the moment.

327. As there seems to be importance attached to this will you refer to the Blue Book, to the top of page xix. Is it not the case that the size limit contained in this Bill was carried in the Sea Fisheries Committee of 1893 by a majority of seven as against 3?—Yes, that is so.

328. And if you look at page xx. you find at the bottom question "That the report be the report of the Committee to the House—put and agreed to" without a division?—Yes.

Captain Sinclair.

329. You used the word "kingdom" when you were asking Mr. Archer a question pointing out the unanimity of opinion favouring the proposals of this Bill. I want to ask Mr. Archer whether it is not the case that the expression 'hat the unanimous opinion which the chairman has made reference to was the opinion of England, and not the opinion of Scotland and Ireland?—We have also had an expression of opinion from Scotland, but certainly in answering the President I had in mind England and Wales, but we have had expressions of opinion from the fishing interests in Scotland.

Chairman.

330. In giving that expression of opinion had you in your mind simply the replies which were made to a circular from the National Sea Fisheries Protection Association to the various committees commending this Bill?—No, certainly not.

Thursday, 21st June 1900.

MEMBERS PRESENT:

Mr. Ritchie.
Mr. Vaughan Davies.
Mr. George Doughty.
Mr. Harry Foster.
General Goldsworthy.
Sir Cameron Gull.
Sir Brampton Gurdon.

Mr. Seale-Hayne.
Mr. Graham Murray.
Mr. Pretymann.
Mr. William Redmond.
Mr. Rothschild.
Captain Sinclair.

THE RIGHT HONOURABLE C. T. RITCHIE IN THE CHAIR.

Mr. JOHN WRENCH TOWSE, called in; and Examined.

Chairman.

331. You are, I think, Clerk to the Fishmongers' Company?—I am.

332. Do you occupy any other position in connection with fishing matters?—I am the Honorary Secretary of the National Sea Fisheries Protection Association.

333. What is the National Sea Fisheries Protection Association?—It is an association composed of members representing the trade generally throughout the United Kingdom, both trawlers and line fishermen.

334. Can you tell us in what way the Association is formed; how it is the various interests obtain representation?—First by nomination, and all the members of the Sea Fisheries Committees are invited to belong. We have a very long list of patrons, both Members of Parliament and others. Members of the Association are elected by ballot on the nomination of the different members of the fishing industry, and there is an annual subscription payable of a guinea a year.

335. Are actual practical fishermen represented on the Association?—Practical fishermen.

336. Are you able to speak as to their views with regard to this Bill?—I have certain resolutions here which I will submit to you in favour of the Bill.

337. Have these been passed at different periods?—Yes. On the 2nd April I sent the following letter generally to the members of the Association; it is from the National Sea Fisheries Protection Association. "Dear Sir,—I enclose herewith a copy of the Sea Fisheries Bill introduced by the Board of Trade, and as it is down for Second Reading on the 22nd instant, I am desired to ask if you will favour me with the opinion of your committee thereon as soon before Easter as possible." The London Fish Trade Association replied on the 24th: "The council desires that in Sub-section 3 of Section 1 the words, 'And with a certificate in writing, signed by or on behalf of the latter person, that the receptacle does not contain any fish the sale

Chairman—continued.

of which is prohibited by this section be put out, and the words 'but the penalty shall be with the consignor of the fish,' be added at the end of the sub-section."

338. That is a matter of detail?—It is; otherwise they approve. Then the Devon Sea Fisheries District write: "I wired you asking you for the date which had been fixed for the Second Reading of the Sea Fisheries Bill, in order that I might circularise the Members of Parliament for the county, but I have not had a reply. Kindly let me hear from you at the earliest convenience." That was in favour of the Bill, followed, on the 24th April, a telegram from Mr. Ford, the secretary: "Committee supports Undersized Fish Bill. Am writing Members for Devon to support Second Reading. Wire date for same." From the Moray Firth Fisheries Association: "This Association has unanimously resolved to approve of the provisions of the Bill for the prohibition of the sale of certain fish below specified sizes. I wired you to this effect to-day." That is the 16th of April. Here is the wire. Then the Hull Fish Merchants Protection Association write from Hull on the 10th of April: "Your letter of the 2nd inst. enclosing copy of the Sea Fisheries Bill was received before a meeting of my directors the other day, and I was instructed to say that this Association approve of the Bill, but are of opinion that it does not go far enough as regards the size of the fish. At the same time they are in full sympathy with the Bill, and support it in its entirety, but seeing that the matter as to size of fish has been discussed so many times by your association, they do not raise any objection in that respect." That is signed "Walter Scott." The Grimsby Fish Merchants Association write on the 11th April: "I beg to say that yours of 2nd inst. and a copy of the above Bill were placed before our April monthly meeting, and I was instructed to inform you that the Bill is unanimously approved by the

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Mr. TOWSE.

[Continued.]

Chairman—continued.

the members of this association, who hope to see it have a successful passage through both Houses." The Lancashire Sea Fisheries Joint Committee write: "In reply to your letter of the 2nd inst. this committee is practically non-existent, an Order of the Board of Trade uniting this and the Western Sea Fishery District having come into force on the 28th ult. I know, however, that the Lancashire representatives on the new committee are most anxious that the Bill introduced by the Board of Trade should become law, and were disappointed that the Board of Trade could not see their way to increase the sizes for flat fish." From Aberdeen the Bon Accord Steam Trawl Owners' Association write: "In reference to your favour of the 2nd inst. I beg to inform you that the Members of this Association are in favour of prohibiting the sale of immature flat fish, and the measure has their support." The next is from the Grimsby Fishing Vessel Owners' Association: "The Sea Fisheries Bill was placed before and read to my Association last night, when I was instructed to inform you that they are unanimous in supporting the same, and hope it will pass through the House and become law." The general committee of the National Sea Fisheries Protection Association in April unanimously approved the principle of the Bill.

339. Are you aware of any association connected with the fishing industry which disapproves of the Bill?—There are certain associations which do. The Ramsgate Association, in particular, disapproves of the Bill. I have no facts before me, but in course of conversation with their representatives they said that they had no need of the Bill as they always were able to obtain good fish, and sell it at a high price. They feared that if this Bill were to become law, the undersized fish not being allowed to be sold would influence the prices at Ramsgate, and therefore it would be to their loss; otherwise they had no objection to the Bill. They were afraid the other seaports would be selling good fish as well as Ramsgate; consequently in their opinion the high prices would not be maintained.

340. Do I understand you rightly that in the course of conversation with any one who might be said fairly to speak for the industry there they stated their objections to be that the Bill would be likely to increase the size of large marketable fish, and so diminish the price?—

That the other seaport towns would have to sell good fish, that is to say the marketable fish; consequently there would not be that demand from Ramsgate that there is at the present time; consequently the high prices would not be maintained.

341. Is there any other body that you know of that disapproves of the Bill?—There have been in the course of debate some instances, but I have no resolution opposing the Bill, although my letter was sent to every Association connected with the Fisheries Association; so that no member can be aggrieved at not having had good notice from me in reference to the Bill, whether he is in favour of it or against it.

342. You are clerk to the Fishmongers' Company?—I am.

Chairman—continued.

343. Will you kindly tell me what part the Fishmongers' Company play in connection with the fishing industry?—Under charter of the 2nd James I. we have power to seize all fish unfit for food in London and in the suburbs. We also have power of entry into any house, shop, or otherwise; under that power we appoint meters for Billingsgate and other fish markets in London to see that no fish unfit for food is sold. If there be any fish in the market which is not fit for food they seize it and condemn it.

344. When you say "unfit," that does not mean undersized?—Certainly not. I am glad you asked that question, because I wish particularly to call attention to that. We have taken, not seized, large quantities of undersized fish, simply from the fact that it has been left in Billingsgate market, and we have done it to clear it away, but we had no right to take it, except that in a little while it would have become bad, and then we would have had the right.

345. You seized it as scavengers, in point of fact?—Practically, yes. I cannot say we seized it; we took it.

346. You cleared it away?—We cleared it away.

347. However great the quantity of small fish, what I call undersized fish, immature fish, fish below the size of this Bill, you have no power whatever to deal with it?—No.

348. Can you tell us about the quantities of kinds of fish which this Bill hits at which come into Billingsgate Market?—The quantities that have been taken; you mean the flat fish?

349. Can you tell us the quantity which comes into the market of this undersized fish, not that you seize?—No, I cannot, because we have no report given us of the quantity that comes in, and unless it is thrown away it does not come to us in any sense.

350. Can you give us the quantities that you have dealt with of small fish?—Yes; but even then it is very imperfect, because, as I informed you just now, we only take that which is cast away. It has no reference to the large quantity that goes into the fishmongers' shops, or is taken from Billingsgate.

351. First of all, can you tell me what has led to the abandonment of the small fish which you say you clear away by those who import it or land it?—They are unable to sell it.

352. There is no market for it?—No market for it.

353. In that case it becomes manure?—It becomes manure. In one case in particular, a few years ago, a very large quantity of undersized fish came into the market. It was absolutely good, but the fish merchants could not sell it. Notice was sent to Whitechapel and to other poor parts of London inviting the poor to come and take the fish away. I went down to see the fish myself. I observed several people turning it over. Here and there, by accident, a good sized fish would be amongst the heap. That was taken by the poor, but all the other fish was left as of no use, even at a gift.

354. Can you give us those particulars you were about to give us about the quantities you have dealt with?—In 1893 there were 50 tons in June. In that month we only seized 164 tons

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Mr. Towse.

[Continued.]

Chairman—continued.

tons; and in that is included this 50 tons of undersized. Therefore it is 30 per cent. of the whole of the amount seized. In May 1894 there were 42 tons taken, or 35 per cent. of the amount we took. In June 1894 there were 27 tons, or 23 per cent., all plaice. I am leaving out other fish.

355. You are speaking of plaice?—Yes.

Mr. Harry Foster.

356. Plaice only, not soles, or turbot, or brill?—Generally plaice. In 1895, June, there were 35 tons, which represented 29 per cent.; in July there were 20 tons, or 20 per cent. taken by the fish meters. In June 1896 there were 109 tons taken, or 46 per cent.; in July 34 tons, or 24 per cent.; in August 38 tons, or 38 per cent.; in September 13 tons, or 11 per cent.

Chairman.

357. Can you give us the totals for the year without going through the months?—Yes; in 1896 there were 368 tons taken.

358. What percentage was that of the whole that you took?—More than a quarter of the amount taken.

359. Still, for the whole year more than a quarter?—Yes.

Sir Cameron Gull.

360. May we have the figures for the complete year; in November, and so on?—It is only the months I have told you. The undersized fish comes generally in May, June, and July. In certain years it is continued to September.

Chairman.

361. Can you give us the totals for 1897?—143 tons.

362. On this paper which you have handed to me I find the whole of these 143 tons came in in May and June?—Yes.

363. Are we to take it that there was no small fish seized in the other months, or rather cleared away?—We cleared none away. That does not say that there were not any.

364. Now in 1898?—92 tons.

365. Have you any experience as to the proportion of small fish which came in in boxes which are taken away?—Yes; about 40 sizeable plaice would go to a box of a fair size. It has been known that a box has contained a thousand.

366. Is there a ready market for these small fish outside?—No. In April of 1896 there were six trunks sold for 1*l*.

367. What do you call a trunk?—About 82 to 90 lbs.

368. What is the difference between a trunk and a box?—They are generally sold in the trunk, or box which is termed a trunk. Six trunks were sold for 1*l*.

369. Can you tell us the ordinary price of a trunk of sizeable fish?—28*s*. for one trunk.

370. Six times 28 would be 8 guineas?—Yes, 8 guineas as against 1*l*. In June 1896 hundreds of trunks were sold in the market at 1*s*. per 10 trunks, that is about half a ton.

371. What is the weight of 10 trunks?—About 900 lbs.

372. And they were sold for 1*s*.?—Yes.

Chairman—continued.

373. For 9 cwt.?—Yes.

374. That clearly must be for manure?—Yes, or given away.

375. It would not be for the handling of the trunks?—It would not be for the handling.

376. Do you attribute the fact of its being sold at that price to their being undersized fish?—Undoubtedly.

377. It was not that they were bad?—Yes, undersized.

378. You would have seized them if they had been bad?—Yes.

379. They were actually sold, fresh fish, at the price you have named?—Yes.

380. Which, of course, meant an enormous number of these small fish?—Undoubtedly.

381. Because there could clearly have been no sizeable fish in these trunks at all or they would have been worth more than a shilling?—I will come to that presently. It may have been.

Captain Sinclair.

382. They practically had to be given away?—They practically had to be given away. In June 830 trunks were sold for 1*l*. The best fish was taken out, repacked in 30 trunks and sold for 1*l*.

Chairman.

383. So that out of the 830 trunks 800 of them were filled with fish that were of no value whatever?—Of no value whatever.

384. And all the fish of any value contained in those 830 trunks were put into 30 trunks?—That is so.

Sir Brampton Gurdon.

385. Did you say a trunk and a box were the same thing?—Yes.

Chairman.

386. As you are aware there are restrictions of trawling on various parts of the coast?—Yes.

387. Perhaps you had better enumerate where there are none; do you know those parts of the coast where there are none?—Yes, the east coast of Norfolk including Great Yarmouth.

388. That is unprotected?—That is unprotected.

389. And no fishery committee have been appointed there?—None.

390. Can you tell us why, when fishery committees are so practically universal, there is no fishery committee on the east coast of Norfolk?—The fishing industry of Great Yarmouth and other parts consider that it would not be to their advantage if a committee were appointed, and have opposed it.

391. Is there anything, as far as you know, peculiar about that portion of the coast that you are now speaking of which would seem to take it away from the general interests of other parts of the coast?—I think there are a good many line fishermen there, and shrimpers who have a prominent voice, and the trawlers from Yarmouth and Lowestoft, I think, generally bring in good fish.

392. Do I understand you that it is the shrimpers' influence which prevents it?—The line fishermen, to a great extent.

393. And

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[Continued.]

Chairman—continued.

393. Are the shrimpers destructive of small fish to any extent?—Undoubtedly they do destroy a great quantity of fry, but I do not know whether the destruction is so great as to interfere with them.

394. I believe you would also mention the east coast of Suffolk?—The east coast of Suffolk.

395. Including Lowestoft?—Including Lowestoft. There is no district committee there.

396. First, may I ask you with regard to the east coast, which we were just speaking about: can you say the number of boats there are there and the various kinds of boats, or shall we have to get that elsewhere?—I think I can give it you. In Lowestoft there are 320 deep-sea trawlers, which land a large quantity of small plaice; there are 58 shrimp boats. There are a large quantity of small plaice which the owners allege would never reach the size laid down in the Bill. There are 58 shrimp boats, which catch in addition to and at the same time as shrimps undersized plaice, soles, and other small fish from February to November.

397. Are these trawlers you speak of steam or sailing trawlers?—The majority are sailers, but I would rather not answer that question.

398. Are there any other parts of the coast that are unprotected; is Lynn protected?—No.

399. There is a committee, is not there; is not there a sea fishery committee which has its headquarters at Lynn?—I think Lynn is not protected.

400. We have received a resolution from a committee there in favour of the Bill. However you do not know?—No.

401. Is there any other part of the coast that you wish to speak of. Is Ramsgate protected?—No.

402. Some portion of that coast is protected, is it not?—Yes, but I cannot give you the particulars of that.

403. Your company, charged as it is with statutory power in connection with fishing, are entirely in favour of this Bill?—They are.

404. There is no difference of opinion at all?—No.

405. Do you believe from the knowledge that you have acquired that the result of passing this Bill would be likely to increase the quantity of sizeable fish?—I have reason to believe so.

406. Have you got the report of the National Sea Fisheries Protection Association of the proceedings at a conference of the representatives of the sea fishing industries in 1898?—I have.

407. Were you present?—I was.

408. You heard the speeches?—I did.

409. Did you hear the Belgian Consul-General in the United Kingdom speak?—I did.

410. I find this in the report which you will be able to verify from your personal knowledge. The Belgian Consul, Monsieur Edouard Seve, says: "I did not intend to speak at this conference, but owing to the affirmation of the Honourable Member of Parliament, Colonel Brookfield, that the Belgian law regarding immature fish was a dead letter, I think it my duty to correct this serious statement." Then he goes on say, "The Royal Decree of 5th September 1892,

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Chairman—continued.

issued in execution of the law of 19th August 1891, forbids in April and May the use in the territorial sea of any other tackle but lines, square nets, and trawl nets, drawn by one man only, not in a separate boat; the same decree forbids the capture, landing, hawking, and sale of turbot, brill, ray, flounders, cod, and haddock of less than 0.25 c. and sole, dabs, plaice, and whiting of less than 0.18 c. in length. These are the principal regulations made for the protection of spawn and fry. These regulations in the beginning ill disposed our fishermen, but the delegates of the administration have given themselves the trouble to travel over the centres inhabited by them, and I can affirm that, far from being a dead letter, the law is observed. One of the first results of this law was to prevent thousands of tons of immature fish being wasted and used as manure by the inhabitants of the sea shore, who now use, without murmuring, nitrate, phosphates, and other manures." You heard that speech delivered?—I did.

411. Of course your company must be in close touch with foreign countries in connection with fish; have you any reason to believe that the law with regard to this matter is not equally carried into effect in the various countries where it is in existence?—So far as I am aware the law is carried into effect.

412. At any rate, with regard to Belgium the evidence which I have just read shows that in the opinion of the Belgian Consul-General, who was sent over here, the law is strictly observed in Belgium?—Undoubtedly.

Mr. Harry Foster.

413. With reference to the last matter you referred to, the Belgian Consul-General, Monsieur Seve is a member, I think, of the National Sea Fisheries Protection Association?—He is an honorary member.

414. He was not deputed by the Belgian Government to come over and make that statement, but is resident in this country?—He is resident in this country.

415. And he was present at that meeting as a member of the association?—I think he was authorised to make that statement. However, I must refer you to what he said.

416. He was present as a member of the association?—Yes.

417. Now with reference to the association itself, the Chairman asked you how it was constituted, how it got its representative character so far as it claims to be representative. Is it composed of individual members who are nominated by other members?—Yes.

418. Must each member pay a subscription of a guinea per annum to become a member of the association?—Yes; it goes beyond that. There are affiliated associations.

Chairman.

419. Is it the individual who is elected that pays the guinea, or is it the committee from which he comes that pays the guinea?—In one case it is the individual, but if he is representing a committee then it is the committee that pays.

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420. I was

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[Continued]

Mr. Harry Foster.

420. I was coming to that. The association, I understand, consists of two classes, namely, of those who are themselves elected as members and who pay a guinea?—Yes.

421. In the same way as a member of a club would be proposed and seconded, and would become a member, and would then pay his guinea?—Yes.

422. And, secondly, to a much smaller extent, of those who are sent up as representing affiliated associations?—I do not know about "smaller." In what way do you use the word "smaller?"

423. So far as membership of the association is concerned, can you tell us the total membership?—There are about fifty affiliated associations.

424. Each of whom has the right to send one member?—Yes.

Mr. George Doughty.

425. Do they send one or more than one member?—One or more members. I have not totted up the number, but here is the list of members. It is a large number.

Mr. Harry Foster.

426. The majority of the members of the association, I think, I am correct in saying are the guinea members, who pay their guinea and who are nominated and elected?—No, I cannot say that.

427. Not the majority?—No, I cannot say that. Perhaps in the actual number individually they would be.

428. That is what I am asking?—The representatives of the affiliated associations represent a very large number of men.

429. You will have full opportunity of stating what is their representative character. I am speaking now of their numbers. Am I correct in saying that so far as bare numbers are concerned the guinea members, as I will call them, are the majority of the association?—Yes.

430. I understand they are elected by being duly proposed, in the same way as a member of a club would be by some existing member of the association?—That is so.

431. Your second class consists of those who come as nominees of affiliated associations?—Yes.

432. What are the affiliated associations? Can you give us any instance?—There is the Aberdeen Fish Trade Association, the Boston Deep Sea Fishing and Ice Company, and the Brixham Fishing Smack Insurance Society.

433. Can you tell me how they become affiliated to the National Sea Fisheries Association? What gives them the right to be affiliated; is it the payment of a subscription?—The payment of a subscription. First of all an association is formed at the seaport, and then they ask to be affiliated to the National Association.

434. And that gives them the right to send up one or more members?—One or more members.

435. What is the largest number that may be sent up?—I think there are four or five.

Mr. Harry Foster—continued.

436. Can you tell me whether the individual membership of the association is equally distributed all over the kingdom, or whether there is any large preponderating voice from any particular locality?—There are more on the east coast than perhaps on the west.

437. When you say the east coast, do you mean more from Hull and Grimsby particularly?—Perhaps there are more there than anywhere else.

438. I do not want "perhaps" if you can give us the information. Is it a fact that Hull and Grimsby are much more strongly represented than any other part of the east coast?—Yes.

439. I think you have had for a great many years knowledge of the movement which has been going on in connection with this destruction of undersized fish?—Yes.

440. Was the first idea of those whom you represent to ask for power to prohibit the catching of these fish?—Originally, yes.

441. They thought that some steps ought to be taken to prohibit their being caught?—Yes.

442. They did not see any practical difficulty in the way of that request at that time?—They did not.

443. Then why did they ask for it?—In speaking of the origin of the movement, down to 1891 the demand was for prohibiting the catching of the fish?—Yes, I have certainly not read the reports lately, but my impression is that there was very great difficulty expressed by members as to how they could prevent the catching.

444. You gave evidence before the Committee of 1893?—Yes.

445. You there referred to a conference which had been held at Fishmongers' Hall on the 11th November 1888?—Yes. Was that the international?

446. Yes; an International Conference, I understand. You there read certain resolutions which had been passed on that occasion?—"That we find a large and distressing diminution in the North Sea of soles, turbot, and all flat fish, and view with alarm the result unless some steps are immediately taken to prohibit the catching of immature fish." That the conference petition Her Majesty's Government urging them to enter into negotiations with all Continental Governments to establish an international law to prohibit the wilful catching of immature fish and to make it unlawful to offer such immature fish for sale?—Yes.

447. Then you gave evidence, I think, of another conference which was held at Hull in 1890, a conference of the trawl fishing industry at Hull, on the 13th April, 1890?—I gave evidence at Hull.

448. You gave evidence of the result of a meeting which had been held at Hull?—I did.

449. This was the resolution which you read to that Committee: "That this conference of the Trawl Fishing Industry of the East Coast, consisting of delegates from Hull, Grimsby, Farnmouth, Lowestoft, Scarborough, and Boston, having realised the enormous loss which the trade has sustained year by year through the wholesale capture and destruction of immature and edible fish, hereby resolves that the time has come when a strong and united effort should be made

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to put a stop to this growing evil"; do you remember that resolution?—Yes.

450. The resolution, you may remember, went on to resolve that they should abstain from fishing on certain grounds for the coming season?—Yes.

451. That resolution asserts that large quantities of immature fish which were not fit for food, inedible, were captured and destroyed every year?—Yes.

452. And that that was a growing evil?—Yes.

453. That, clearly, did not point to bringing fish to a good market for sale, did it; it pointed to the wilful destruction of them?—Yes.

454. It was only in 1892 that the request to stop the catch of the fish was abandoned?—About that time.

455. Your association, I think, approached the then President of the Board of Trade, Mr. Bryce, by a deputation?—Yes.

456. Asking him to appoint a Select Committee, with a view to preventing the sale of these fish?—That was so.

457. Can you tell me at whose instance the request to stop the catch of these fish was abandoned?—I do not know at whose instance it was, but I think it was generally recognised that they could not altogether prevent the catching of undersized fish; but, at the same time, if a law were to be passed preventing the sale, trawlers would not go to that part of the coast, wherever it might be, where it was known that the undersized fish were.

458. That is the argument in favour of prohibiting the sale without prohibiting the catch?—Yes.

459. What I was asking you was at whose instance the request was dropped to prohibit the catch?—I forget.

460. Did the Hull and Grimsby people strongly support that request of 1892?—I think they did. I do not recollect off-hand whether they did or not.

460*. Do you remember a meeting of the National Sea Fisheries Association when the Committee were strongly supported by the present Lord Heneage and by Sir Albert Rollitt?—Yes, that would be Hull.

461. It was Grimsby and Hull; have the National Sea Fisheries Protection Association ever gone into the question of whether it would be wise to introduce regulations as to the methods of catch; has that ever been discussed at all?—The size of the mesh has been discussed in the general discussions at the various meetings to which you have alluded, but not otherwise.

462. You have told us of the removal by the Fishmongers' Company, as rubbish, of large quantities of undersized fish in each year, owing to their being unmarketable?—Yes.

463. I think your expression was that the people would not take them at a gift?—Yes.

464. Those amount to enormous quantities—tons and tons?—Yes.

465. In addition to that you have told us of even much larger quantities that have been sold practically as rubbish for a nominal price?—Yes.

466. The price at which they were sold would

Mr. Harry Foster—continued.

not cover the cost of handling them, would it?—Certainly not.

467. Let alone the question of any compensation to the fishermen?—Yes.

468. Or any question of rail carriage?—Quite so.

469. Some of these fish may have been brought into the Port of London, I suppose, by vessel, and some may have been brought in by rail?—That may have been.

470. So that in all these cases—the cases of these hundreds of tons of fish that were sold for a nominal price, there must have been a heavy loss incurred by somebody?—Undoubtedly.

471. Apart from the question of there being no profit, they must have been a good deal of money out of pocket in the mere handling of the fish?—Yes.

472. Does not it suggest itself to you from that fact that no law is necessary for the purpose of preventing them doing something which at the present moment not only gives them no profit but involves a heavy loss?—I can only say this, that those who are interested in the fishing industry have asked to be protected against themselves.

473. How does it strike you as a reasonable man?—Of course, if you are not making any profit, the better way is to leave it alone undoubtedly.

474. You would imagine that so far as the inducement to catch and bring those fish to market is concerned, the lamentable commercial result would deter people from bringing these fish to market?—You would think so.

475. But still the fish come?—Still the fish come.

476. And the evil still goes on, notwithstanding the experience, now extending over a great many years, that there is a very bad market for these fish; notwithstanding that fact they still come into the market?—They still come into the market.

477. And the destruction still goes on?—Yes.

478. In your evidence in 1893 you were asked whether the feeling is that legislation should be on national or on international lines, and your answer was on international lines?—Yes.

479. You were then asked to give a reason for your preference, and your answer was, "Because if it were national, it would only affect our fishermen, and they could only land certain sized fish, whereas if it were international it would prevent foreigners from landing undersized fish for sale." Then the question was, "Even in their own countries?" And your answer was, "Even in their own countries," and then you added, "Our fishermen, I should think, should have equal rights with foreign fishermen." Have you anything to add to-day to that statement?—Yes. I think I must have made an exception there, or an explanation, that before you can get an international agreement it is necessary to come to a national agreement. In fact, that is the whole question, and that is where the difficulty has been. We have been trying to legislate, or to press the Government to legislate upon the whole question. At the International Conference in June 1890, it was suggested

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suggested that there should be a general agreement, and the countries that were represented agreed to represent the matter to their various Governments. Generally those Governments have adopted restrictive measures, and although the United Kingdom is more interested than any continental power, yet here we are in the same state as we were in ten years ago, and nothing done. Until we deal with it nationally it is useless attempting to come to an international agreement or convention.

480. Do you still adhere to the opinion that our fishermen ought to have equal rights with foreign fishermen?—Yes.

481. You think the most likely way to get that is by our first of all putting restrictions upon our own fishermen, and then hoping for an international arrangement?—I will answer the question by saying this. With regard to the Moray Firth, I think it is very unfair that our fishermen are prevented from going into Moray Firth, and that you are allowing foreigners to come in.

Mr. Graham Murray.

482. The prohibition against sale in the Moray Firth is equally effective and equally insisted on against the foreigner and against the subject, is it not?—No; the foreigner can come in.

483. Yes; but he cannot sell?—But he can get the fish.

484. Take the two things separately. You are aware, are you not, that there is a prohibition in the Bill which deals with the Moray Firth, preventing any fish that is caught in a prohibited area, of which the Moray Firth is one, being sold in Scotland?—In Scotland.

485. Are you aware that that prohibition is enforced against the foreigner in precisely the same way as it is against the native?—In Scotland, but not elsewhere.

486. Please notice my question. My question was, "in Scotland"?—I quite acknowledge that.

487. Therefore your answer is "Yes," I take it?—I quite agree with you; in Scotland the foreigner is dealt with.

Mr. Harry Foster.

488. Equally with the Britisher. Your point is that he can take his fish away and sell it elsewhere?—Yes.

489. In the same way that you pointed out in 1893 that if a Bill were passed to prohibit the landing and sale of undersized fish in this country, it would not prevent those fish being taken elsewhere, unless it was international?—Quite so.

490. You spoke about legislation in other countries. Are you aware precisely of what legislation there is in other countries bordering on the North Sea?—I understood you had evidence about that, and therefore I was not prepared to speak about it.

491. I was only testing your knowledge of the fact. You spoke broadly of other countries having done it, and yet of our not having done it. Are you really aware to what extent other countries have gone?—I was not prepared with that evidence. I know they have done it.

492. You do not know to what extent they

Mr. Harry Foster—continued.

have done it?—I am not prepared to answer that.

493. You are not aware of the fact that France they only prohibit the sale of two of these classes of fish dealt with by this Bill, at that only below 5½ inches. Were you aware that that is all that France has done to this moment?—I would rather not answer the question on that hand, because I have not prepared myself upon it, and therefore I think I might give an answer which would not be correct.

494. You cannot give us any information on the subject?—No.

495. You are not yourself precisely informed as to what these foreign countries have done?—No, not for the information of this Committee.

496. The figures you have given us with regard to the destination of these immature fish are only, as I understand, to Billingsgate and Shadwell?—Yes.

497. There are of course other large fish centres in the country?—Yes, certainly.

498. You have no information with regard to them?—No. Those figures are accurate as far as we are concerned, but they give no idea of the general rate.

499. It may be ever so much larger?—Yes.

500. I see you did form an estimate in 1894. I do not know on what ground, based upon your own seizure or removal of these fish from Billingsgate and Shadwell?—Yes.

501. Your estimate then was that the destruction in other parts you should imagine would be three times as much?—Yes.

502. You said you could multiply by four?—Of course that was only an approximate estimate.

503. Did you mean that multiplication by four to refer to London or to the whole country?—To London only.

504. So that, as a matter of fact, in all probability some huge quantity of undersized fish landed, carriage is paid upon it, it is brought into the various markets, it is unsaleable, and it eventually is removed as a nuisance and destroyed?—Yes.

Chairman.

505. Do you know anything about the facts connected with that, in the provincial market?—Not the facts; I have heard from time to time that there are large quantities brought in and used as manure.

Mr. Harry Foster.

506. Can you, from your experience of the trade, imagine there being an inducement to any fisherman, having caught a certain quantity of marketable fish, to go to any locality, and in order to make up his catch to try to catch some of these small fish?—There may be at times a market for small fish. If he gets a large quantity of undersized fish he may hope that there will be a market for it.

507. You are rather trying to find some reason which you think might influence the man in doing such a thing?—He hopes he will get a market, of course.

508. That is the only thing you think could induce him to do that, because he hopes to get a market?—There is no other inducement.

509. Your

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[Continued.]

Mr. Harry Foster—continued.

509. Your evidence has gone to show that practically there is no market?—Usually.

510. Therefore the only thing that he could be doing would be hoping against hope to catch something which might realize something but probably would not?—Yes.

Mr. George Doughty.

511. How many years has the National Sea Fisheries Protection Association been urging the necessity of this Bill?—For the last ten years.

512. I suppose each year at their annual meeting this question has been brought before the association?—It has.

513. Do you recollect any one of those meetings in which only a very small proportion of the representation expressed a difference of opinion on the principle of the Bill?—There was a meeting where a very small minority expressed a difference of opinion on the Bill, but the large majority were in favour of the Bill.

514. Take the last five years; has the Bill during the last five years received the practically unanimous assent of the association?—Yes.

515. What occurred at the last annual meeting; was it unanimous?—It was unanimous.

516. Was there a very strong expression of opinion by resolution that the association thought the Government had neglected the interest of the trade?—There was a resolution passed to that effect.

517. And you were desired to send that expression of opinion to the representatives of Her Majesty's Government?—I was.

518. So that so far as every recorded resolution of the association for the last ten years goes, it is absolutely in favour of this Bill?—Absolutely.

519. Several questions have been asked you on the construction or constitution of the National Sea Fisheries Protection Association; I think it is important that you should make it perfectly clear to the Committee what is the constitution of that association; does it, in your opinion, represent 90 per cent. of the fishing trade of this country?—It does.

520. As to the membership, you have been asked whether it was not made up of what may be termed individual members who pay a guinea per year; by individual members do you mean members representing a large company or a large association?—Mr. Foster asked just now as to the actual members, and I informed him that perhaps the actual guinea members, to use, I think, his expression, might be more, individually, than the representatives of the affiliated and other associations, but the representatives of those associations represented a very large number of members connected with the fishing industry, and therefore in the result the representatives far outnumbered the guinea members.

521. You are in touch with every important association connected with every type of fishing in the United Kingdom, are you not?—We are.

522. Is there a representation of practically the whole of those associations?—Yes.

523. I do not mean merely trawl fishermen or line fishermen, but shell fishermen, and crab and every other kind of association come to you?—Yes.

Mr. George Doughty—continued.

524. You exist for that purpose?—Yes.

525. Not merely for the purpose of furthering one particular interest of the industry, but all interests?—Quite so. The oyster industry is more particularly taken up by the Oyster Association; nevertheless, all representations came to us.

526. Practically the whole of the trade is represented through you?—Yes.

527. Therefore, an expression of opinion given by your association may be taken as an expression of opinion from the whole trade?—Yes.

528. You have been asked some questions respecting the possibility, as I understood Mr. Foster, of extending the limit line, that is the prevention of the catch of fish. Do you think if a ten mile limit could be established or had been recommended, the fishermen of Lowestoft and of Ramsgate would have been very likely to fall in with it? Would they be likely to have agreed to any such suggestion as that?—I doubt it.

529. Supposing the three mile limit could be extended to ten miles, would the fishermen of Lowestoft be likely to agree to such a proposal?—I do not know. I have not heard an opinion from them.

530. I want to ask you about this destruction of small fish. You have this morning given some rather startling figures, and without qualification they may lead the Committee to what is perhaps not exactly the correct conclusion. Is it a fact that in the summer months there are as many as 3,000 cases, or trunks as you call them, of small fish on the Billingsgate Market in one morning?—I cannot tell you that except from the evidence I have given you here of these particular cases.

531. Is it a fact that as much as a thousand tons of these small fish have been landed in Billingsgate Market in one week again and again?—I have not given you a thousand tons. I cannot give you the evidence as to that.

532. You have only given us the proportion which has been destroyed?—I can only tell you the proportion which has been destroyed. I cannot say as to the landing. I have personally no knowledge of that.

533. If that were so, then the proportion that has been destroyed would be a comparatively small proportion of the quantity landed in that particular month?—Yes, the quantity destroyed is undoubtedly a small quantity in comparison.

534. Are you aware that this small fish generally makes 6s. to 7s. per box or trunk on your market?—No, I cannot say that I am.

535. You have no figures or facts bearing on the point?—No.

Chairman.

536. Are you speaking from knowledge; have you any doubt that there is a very large quantity of immature fish which is really sold?—Undoubtedly there is a large quantity.

537. In addition to the quantity you deal with?—Undoubtedly there is.

Mr. George Doughty.

538. The quantity you deal with is only a small proportion of that which is landed?—Yes, that is so.

539. Can

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Mr. George Doughty—continued.

539. Can you tell the Committee how this fish is sold; is it sold by auction?—By auction.

540. The supply, of course, very largely regulates the price?—Undoubtedly.

541. At times, I suppose, there are what are known as great gluts of fish in Billingsgate Market, are there not?—Yes.

542. And on those occasions a large quantity of small fish such as you have referred to would not be sold?—No.

543. And therefore you would take possession of it?—Yes.

544. But you do not wish to imply from the answer to this question that the vast proportion of small fish is not sold at a profitable price?—Certainly not. Those figures had reference to a case of glut.

545. But still I understood you to say, to take a box of plaice of average size, 40 would constitute a box?—About 40.

546. And that as many as a thousand small fish have been known to constitute one box of what is known as immature fish?—Yes.

547. And that although it may make, say 7s., yet the loss to the community in the destruction of that fish is a very serious matter?—A very serious matter indeed.

548. That is the point which your association, apart altogether from the aspect of what the trade think of it, desire to enforce on the Committee?—That is so.

549. That from the standpoint of the fish consumer, whom after all you do a great deal to represent, this is a wicked waste of food supply?—That is to say if they were left to grow the value would be considerably enhanced.

550. Of course Billingsgate Market is a very large centre for the fish?—It is.

551. But it is not the only large centre, is it?—No.

552. In the other large centres of the country I suppose you are aware that large quantities of small fish are landed?—I am aware of that.

553. Therefore when you take the whole country together, in certain months of the year vast quantities of small fish are being placed on the markets of the country?—Yes.

554. Of course you have no knowledge of what fish may be destroyed in those other provincial markets?—No knowledge at all.

555. All you know is that on your market the proportions you have mentioned have been annually destroyed or taken possession of?—Yes.

556. You were giving some figures month by month a little while ago when the President asked you to give them by the year. Is it the fact that this small fish is caught generally between February and July?—Yes.

557. Therefore in the winter months there is not much of the small fish landed?—No.

558. Can you give me any reason for that?—No, I cannot.

Sir Cameron Gull.

559. Cannot you give the Committee any idea of the numbers of your association?—I may say we represent approximately some 80,000.

560. But I mean the actual numbers. I see in your evidence in 1893, you said your numbers

Sir Cameron Gull—continued

were 183, and 57 affiliated bodies and associations. Have you more individual members have you increased on those figures?—They are about the same.

561. Have you any idea of what the number of fishermen round the coast are altogether?—No.

562. As regards the attendances at the annual conferences, can you state to the Committee the number who attended for the last three or four years?—It has been about the same perhaps.

563. Have you any record of their composition, that is to say, whether those members consisted more of representative members or individual members, if I may use the term?—I should say that the representative members were in a greater number than the individual members.

564. You cannot give any definite answer?—I have not got the books.

565. It is accessible?—Certainly.

566. You say you sent your letter written in connection with this Bill to all member associations?—Yes.

567. Individual and representative?—Yes.

568. How many answers did you get?—The letters I submitted to you just now were all the answers we had from the branches and affiliated associations.

569. Did you send out the letters to individual members?—No, only to the branches and affiliated associations.

570. Were any answers received from Scotland?—Those are all the answers we had.

571. Just the one or two. There were none from Ireland?—No.

572. I did not quite understand the reason you gave, or rather I suppose the Rannoch Committee gave, for disapproving of the Bill?—It is a personal reason.

573. There was no official communication from them at all?—They attended on two occasions and spoke against the Bill.

574. But not in answer to your letter?—No. I had no communication.

575. As regards this undersized fish can you tell the Committee at all where it comes from or where the bulk of it comes from?—Principally on the Dutch and German coasts.

576. Does it arrive in London by sea or rail?—Both by land and water, but principally by rail.

577. Do you think that considering the price you have mentioned for the sale of a large amount of this undersized fish, it is likely the trawlers would go with the express object of catching this fish?—I think to a certain degree I made a wrong reply just now to the question put. Of course in many cases although the fish are undersized, yet they do fetch a price which price may give them a fair margin of profit. In the cases that I originally spoke of where there has been a glut in the market these undersized fish have practically fetched nothing at all.

578. Yet in view of that risk, which almost always exists, you think a certain number of these men deliberately go out with the express purpose of catching these small fish?—I do not say they go out deliberately, but they knowingly go to parts where the undersized fish is. They might

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Sir Cameron Gull—continued.

might be able to go elsewhere and get a more marketable size; but they knowingly fish and get these small fish.

579. Are you aware in these catches whether or not practically the whole of the catch consists of this small fish?—Practically the whole. Of course there may be a few good fish.

580. But not sufficient to pay?—Yes; no doubt they do get a certain fair proportion which pays, but at the same time the destruction of the small undersized fish is enormous.

581. But if they get a certain proportion of their catch which pays, if this Bill is passed will that prevent them from going there?—It is assumed it will.

582. You have no ground for saying so except your opinion?—If they are unable to sell the undersized fish, necessarily one would suppose they would not go.

583. Yes, but you said just now that there were a considerable number of sizeable fish which would pay?—Yes, but then what would they do with all the undersized fish; would they throw it away?

584. I am coming to that. What I understood your first answer was that in most of these catches there was a certain proportion of sizeable fish which would pay?—Yes.

585. If that is so, will the prevention of the sale of the small fish in their catch prevent it?—It may deter them from going there. It is assumed it will.

586. Do you know at all what proportion of these fish are dead when brought up in the trawl?—No.

587. I suppose we may take it a considerable proportion of them are dead?—Yes.

588. What do you propose should be done with them when they are dead?—I think I must leave that to a practical man to answer.

589. You said that if they were prevented from being sold you assume, or you hope, that the men will not go upon those grounds?—Yes.

590. I do not wish to ask you in detail about the foreign laws, but you know that the Acts that are said to be in force abroad vary as regards the fish included, and the size of those fish?—Yes.

591. And that in most of these countries the sizes are small?—Yes.

592. Except as regards plaice, I believe: therefore it is quite obvious, though the fishermen might not sell them in England, they might still dispose of those fish in foreign countries?—Yes; but if a law were passed here, we might then perhaps, by international agreement, press upon other Continental powers to increase their sizes.

593. Foreign countries are not very ready to accept these?—You see they have done more than the United Kingdom have done.

594. If you remember, the evidence here—from Germany, especially—they thought it very doubtful whether Germany would take any steps?—Yes.

595. Do you know what proportion of the immature fish that come to the market are within sizes prohibited abroad?—No, I do not.

596. We could not find out at the last Committee meeting anything about an old English Act which did permit the sale and capture of

Sir Cameron Gull—continued.

fish. Do you know anything whatever about it?—No; I forget what that was.

597. Are you aware that it was on the Statute Book from 1714 to 1868?—It was prior to that.

598. I think that was the evidence; but your company has no information at all as to the Act being in force?—No.

599. Or as to its being practically a dead letter?—No.

600. One word as regards where these undersized fish come from; your company have no knowledge of any considerable proportion of undersized fish coming from the west coast or the south?—No.

601. As regards the sizes of the fish they were fixed, I believe, some years ago at the conference, were they not?—Yes.

602. Before the Committee of 1893, practically, the whole of the scientific evidence went to show that unless they went to a much larger size any restriction would be ineffectual; I do not want to go into the detail of the evidence, but I think nearly the whole of the scientific evidence went to that point?—The scientific evidence certainly went for an increased size.

603. On the ground that it would be necessary to go to the sexual maturity size?—I do not know about that. I think on the scientific evidence there is a difference of opinion upon that.

604. Now that theory has been dropped, and we have got a new theory now that sexual maturity is not the thing to look to but the size, the growth is what you look to?—There is a great difference of opinion as to the sexual maturity, and the word "immature" for that reason has been dropped for very many years.

605. As I take it the object of this Bill is to give an opportunity for fish to grow?—Yes, and to be a sizeable fish fit to eat. I have samples of the sizes here now if the Committee wish to see them.

606. I do not know if you remember that Mr. Berrington in 1893 was prepared to allow some small amount of fish under the size to be sold provided it was only a very small proportion of the catch. Would you see any objection to that?—The difficulty is if you allow them in one case, how are you to prevent it in another.

607. At Question 2993 Mr. Berrington was asked: "Could it not be done by prohibiting the landing?" and his answer is, "As I said before I think it would be desirable to make some exception as to small quantities in order to prevent ill-judged prosecutions, but I think the landing in large quantities might be prohibited, and also the sale; it is impossible to prohibit the capture." You would not see any objection to something of that kind in the interests particularly of the smaller men?—If you legislate at all, the difficulty is at once to know the limit of quantity, whether it was within the law or out of the law.

608. What is the weight of a box or trunk of fish?—Between 80 lbs. and 90 lbs.

609. Supposing you said 10 lbs. or 8 lbs., or something like that, one-tenth of the weight, surely it would not be worth the trawler's while going out to the Dutch coast in order to get it. Say he gets a thousand boxes, he would only be

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able to have a very small weight of undersized fish. Would you see any objection to some small limitation of that kind?—I think it would be much better to prevent sale absolutely.

Chairman.

610. I think Sir Cameron Gull's question is more directed to this particular point. If without design there happened to be a few pounds of those prohibited fish in a large box, then there might be some loophole by which the man who was landing or selling them with this accidental mixture of small fish might not be subjected to penalties?—I think in that case, if accidental, certainly not.

611. Of course you would require to judge of the accident by the smallness of the quantity?—Yes, by the smallness of the quantity.

612. But if there could be legislation which would prevent confiscation and fines where the quantity of fish found in a receptacle was out of all proportion small to the bulk of it, you would not see any objection to that, would you?—No.

Sir Cameron Gull.

613. That is the point I wanted. Do you know how the fish are put into the boxes; the way in which the catch is dealt with when brought on deck?—No, I cannot say definitely about that. I have not been on board a trawler—not to observe it.

614. Now as regards enforcing the Act, do you think it necessary that any officer empowered by Act of Parliament to open these boxes, and to detain the fish should have any knowledge at all of fish?—I think he should have some knowledge certainly.

615. Have the officers of customs sufficient knowledge as regards the different kinds of fish?—I do not know if the officers of customs would often have to deal with it; I know it is in the Bill, but they should have the power.

616. They are the first people, the officers of customs?—I know. They should have the power, but I do not think it would often come under their power.

617. Would it not be wiser to restrict the people who have the power to open these boxes to officers who have proper qualifications?—I think, if the officers of customs were called upon to exercise their powers given under the proposed Bill, if there were any question about it, they could even have expert evidence.

618. A man may not know a sole from a lemon sole?—I do not think there would be any objection.

619. Then as regards place; do you think it necessary to enable the fish to be seized and examined at any period of the transit, in railway stations, for instance, or would you limit it to the port of landing?—I think it would be important that you should allow them to be examined at any place.

620. Our attention was called last time as a precedent for such legislation to the provisions of the Sea Fisheries Act, but I notice there that the power to stop and search is limited to the district of the sea fisheries in question?—Yes. This Bill is what you may term an *omnibus* Bill.

621. It goes very much further?—Yes.

Sir Cameron Gull—continued.

622. This is a very wide extension. I want to know whether you are prepared to go entirely for this very large extension both as to the people who might enforce the law and to the places where it is to be enforced?—I think it is desirable.

Captain Sinclair.

623. You are aware that under this Bill the sale is prohibited, but not the giving away of fish caught?—No.

624. Or the exchange of the fish caught?—No.

625. You are practically acquainted, of course with the methods of sale and distribution of fish throughout the country. I want to ask whether you think or not that the fact that the sale is prohibited, and that giving away or exchange is not prohibited, will not introduce great difficulty in the practical carrying out of this Bill. As I understand it, there may be packages or parcels of fish going from one place to another which may or may not have been purchased. The Officers of Customs would have power to open all those parcels and to detain all those parcels. Will that not introduce considerable complication in the carrying out of this Bill? I ask you simply for information?—You are certainly opening a rather wide question, but I think if the fish is not allowed to be sold you will find that the small fisherman will take the fish home to his family, and so on.

626. That is a matter of surmise, but on my hypothesis, I am asking you simply for information, what is your opinion?—I do not think I will.

627. You really cannot tell?—I cannot tell.

628. Your evidence applies very largely to plaice only?—Yes.

629. The real crux of the question is the question of place?—Yes.

630. In 1893 your association, the National Sea Fisheries Association, suggested to the Committee certain sizes?—They did.

631. Do I understand that you are now willing to accept the provisions of the Bill as an instalment, still hold the opinion that the sizes suggested by you in 1893 would be preferable, as giving effectual protection?—Yes.

632. You adhere to the former sizes?—Yes.

633. The size of soles and plaice in the Bill is eight inches; the Sea Fisheries Association suggested nine inches?—Yes.

634. Would you suggest any other fish being included in this Bill?—No, only the fish that are now included.

635. Your company, I have no doubt has followed carefully the facts and figures of the fish supply. Can you give us any indication of the result of the increased enforcement of the three-mile limit in recent years; has it tended or not to the protection of the fish food supply of the country; probably you have not considered it?—No. We have not seen that there has been any material increase in our supply of fish during the last seven years.

636. There is nothing, in your opinion, to be drawn from that?—From the greater protection of the three miles. I certainly think there is no evidence of direct benefit.

637. It

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637. It has had no appreciable influence?—Not at present. It may be that the three-mile limit is generally protected now, but so far there is not sufficient to go upon as to whether it has been a benefit or not.

638. The complaint as to the decrease of plaice and other flat fish is not that there has been in the North Sea an actual decrease, as I understand, but rather that the increase of catching power, the increase of large and more powerful vessels and engines for catching, tends to show that the supply is not increasing, that is to say it tends to show that we are overtaking the productive powers of the North Sea?—The increased catching power, I understand, is about equal to five times what it was, and yet the total quantity of fish landed has very slightly increased.

639. Your association in the 1893 report, I think, is quoted as expressing a strong view deploring the want of official statistics?—Yes.

640. And the very great difficulty there is in arriving at a definite figure as to the causes of this failure (if it is to be called a failure) of fish supply?—Yes.

641. And I think they instituted some efforts by writing or sending a circular?—Yes.

642. Have you at all followed that up?—No, we have rather left it for the Board of Trade to get the statistics.

643. Were there any special difficulties in the way?—The difficulty is existing now, as then, of getting proper statistics.

644. Really very little has been done in the way of scientific research?—The marine laboratories at St. Andrews and at Plymouth both have taken the matter up scientifically.

645. We are rather in ignorance as to the movements of fishes and food supply?—At present, yes.

646. And there is a great conflict of opinion as to the present condition of the food supply in the North Sea?—Yes.

647. Also as to the changes and movements of fishes?—Yes.

Chairman.

648. Is there not a conference now assembled at Stockholm for the purpose of considering that?—Yes.

649. It has not completed its investigations yet?—I have not heard that it has.

Captain Sinclair.

650. Could you kindly tell the Committee how far this measure, in your opinion, is likely to be successful in preserving these small fish alive; that is the practical question?—Yes; it is hoped that it will have a beneficial effect; all the practical men, the trawlers, consider that if this Bill were to become law it would be the means of keeping the trawlers off the known grounds where the undersized fish is.

651. Of course it is the trawlers that must from their greater power be the means of bringing these small fish in a larger proportion?—I believe the trawlers acknowledge that they do take a great quantity.

652. What is going to be the effect of the operation of this Bill on the price of fish? What do you calculate will be the effect; I do not mean the prospective effect, because that is based upon

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Captain Sinclair—continued.

hopes which may not be realised, but what will be the immediate effect upon the price of fish in the market?—I have not considered that subject. If there were a less quantity the price of fish might and would have an increase temporarily.

653. It is clear that if the Bill is properly enforced there will be a less amount of fish in the market?—Yes, there will be.

654. What will be the effect of that on the price?—Well, undoubtedly the price would probably increase for the time.

Chairman.

655. Do you believe that the absence of immature fish from the market would raise the price of mature fish?—It is a difficult thing to say at the present time. Of course when you come to think that the size of fish is so small it may not have any appreciable difference.

Captain Sinclair.

656. But there is no doubt that contrasting the supply of fish with the demand, while the supply of fish will be diminished by the subtraction of the small immature fish, we do not know practically that the demand will be diminished?—No.

657. And therefore the demand operating on the supply is likely to tend to raise the price?—It might. It is rather problematical.

658. Then in regard to plaice, the evidence this morning seems to show that the operation of this Bill would be confined to something between three and five months in the year?—That is what it seems to be.

659. No small fish comes to the market in the case of plaice, except during those months of the year?—About that.

660. Is that true of the other fish under the Bill?—I think so.

661. It is generally true?—Yes.

662. Therefore, really the protection afforded by the Bill will be confined to those particular months of the years?—Apparently.

663. Then really from the point of view of protecting the fish there will be no objection to limiting the operation of the Bill?—I think there will be a great objection.

664. How would that be?—Although for the time there might be, just for a few months, a necessity to prohibit the sale, it might at other times be necessary to vary it.

665. It would be wise to have the power?—Yes.

666. Then as to the differences between the foreign countries and this country, there is a market for small fish for purposes of manure in foreign countries?—Yes.

667. There is no such market here, is there—from what you have said? I do not mean to say that fish would not be used locally for manure; I have no doubt that is so on the coast, but there is no public market, there is no ready sale for fish for manure in this country, is there?—Of course there are factories where fish is made into manure.

668. Do I take it, from your knowledge of the fish trade, that there is a considerable market in fish for this purpose?—Yes, there is a fair market.

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Captain Sinclair—continued.

669. Is it confined to immature fish?—No; all classes of fish.

670. Would you say that immature fish, the fish protected by this Bill, would form any large percentage?—All fish taken which is not absolutely bad, as well as fish unfit for food, are taken to these factories and made into manure.

671. I only wish to get at your opinion as to whether you think the sale of fish for manure stimulates the catching of immature fish?—I hardly think it does. I have no knowledge of that.

672. You say that foreign countries have done more than we have to protect their fish; would you kindly explain the ground for that opinion?—Several Powers have passed, after the International Conference, to which I alluded, various laws which we have not. We are in the same state as we were in 1888.

673. Are there any figures, any reports, available to show the operation of those laws, and whether or not foreign countries police their waters as efficiently or less efficiently than we do?—I have no figures before me.

674. Are there any figures to show what the effect in these foreign countries has been of the measures they have taken to protect their fish supply?—Whether the supply has increased. No, except from the Belgian representative. He stated emphatically that it had been a great advantage to his country. More than that I am unable to say.

675. Then in regard to some committee in the East of England, the Great Yarmouth local committee, you mentioned restrictions, and that fishermen of various kinds objected to the restrictions. To what restrictions did you refer—I think at Great Yarmouth?—Possible restrictions which may be placed by the Sea Fisheries Committee.

676. What restrictions are those?—Trawling within the three-mile limit, and such other restrictions.

677. Are there any others?—I do not know.

678. I will tell you why I ask. It may refresh your memory. What I did not understand was, you attributed the opposition to the formation of the Sea Fisheries Committee to the action of the shrimpers and the line fishermen?—There are various restrictions, "no person fishing for whitebait, eels," and so on, "and shrimps."

679. You are referring to the capture of other kinds of fish?—Yes.

680. You said the shrimpers and the line fishermen opposed the formation?—You see "In Kent and Essex no person shall use for fishing smelts any net," having so many rows of knots and such like.

General Goldsworthy.

681. I should like to know if you could say whether during the last seven years there has been any general decrease in the size of the fish that are mentioned in this Bill—soles, plaice, turbot, or brill—that have come into the market; that is to say, any general decrease in the size of the average fish that is sold, whether the average length of the fish has been smaller any time

General Goldsworthy—continued.

during the last seven years than before?—I do not know that the average size has materially altered during that period.

682. You do not know?—The size was very much the same then as now.

Mr. George Doughty.

683. Do you know that as a matter of fact?—No.

Mr. Graham Murray.

684. There are two senses in which you might talk of the average size. You might talk of the average size as meaning that of the amount of fish sold in the market, the average is so and so, or you might take it, for instance as one talks of stags, that the average of a stag has gone down; that is to say, that you have less really big fish than you used to. Those are two very different things?—Yes.

General Goldsworthy.

685. What I wish to know is this: whether there is a larger proportion of undersized fish and a general falling-off in the general character of the fish during the last seven years. I take it that during the last seven years, because you had the inquiry of 1893?—I have no practical knowledge of that.

686. One of the associations, whose opinion you read out, said that the Bill did not go far enough in size?—Yes.

687. Did any of the others make any observation with reference to that?—I read all those.

688. Was it mentioned at all at your general meeting that you had?—Yes. Generally they wished the size to be increased.

689. You said just now several of these fishermen wished this Act passed, so as practically save themselves from themselves, or their comrades really?—Yes.

690. In addition to the amount of immature fish which is destroyed or given away at Billingsgate, there must always be a certain amount of immature fish that has been contributed to the fishmongers, and which they cannot deal with, I suppose?—Yes.

691. Of course the undersized fish as a rule is used in the small fried-fish shop where it is sold very very cheaply indeed?—Yes.

692. There was a question put to you whether the fishermen in catching undersized fish might not make a sufficient profit on that undersized fish to repay them for the trouble they had in catching it. Of course, with regard to the evidence which you have given as to the immense destruction of fish which there has been, and also as to the fish being sold as manure, we know very well that the sale of that fish would not pay in any way whatever for the handling of it, as the Chairman said; but there is one thing you were asked, whether it would not pay the fishermen to catch the undersized fish so as to sell it practically to make a profit out of it?—That is a question I would rather not answer. It is more practical than I am prepared to deal with.

693. Your general view of this Bill is this: that the object would be by preventing these immature fish being thrown on the market, to discourage the taking of them, and so allow a larger

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far as possible the immature fish to escape to grow into bigger ones?—That is the object.

694. And that if there is any loss in the first instance from putting an Act of this sort into force, there would be eventually a profit?—That is the idea, that eventually there will be a very large increase in the supply.

695. Not only for the consumer but also for the fishermen?—For the fishermen in particular.

Sir Brampton Gurdon.

696. Do you suppose line fishermen catch any large proportion of immature fish?—They do catch a few immature fish.

697. Not to any very great number?—I have not heard so.

Mr. Graham Murray.

698. You have given us a great many figures showing a very large destruction of undersized fish, or a sale at a price which is obviously unremunerative?—Yes, I have.

699. When are those fish handled; are they put into boxes on the sea or at the port of debarkation?—On the sea.

700. I suppose it is obvious that if the fishermen knew that a consignment of fish would be absolutely unremunerative they would throw them away when they were handled rather than consign them to a railway with the certainty that they would have to pay railway charges?—Yes.

701. Does not the very fact of the enormous quantities of unremunerative undersized fish that you have spoken to show that on the whole the undersized fish trade in the London market must pay?—It does.

702. Under this Bill of course all undersized fish would be unsaleable?—Yes.

703. Is it your view that if the Bill passed, the direct incentive to the fisherman would be only to go to such fishing grounds where he could hope for such a proportion of large fish as would pay by themselves?—Instead of saying my view, that is the view expressed by all those who support the Bill.

704. That is so, is it not?—Yes.

705. And that there would be gone for ever the present state of affairs, which is that he gets all the large sized fish he can, with the possibility of making a certain profit out of the undersized fish which he takes along with them?—Yes.

706. The honourable Member for Forfarshire asked you as to what, so far as you could see, would be the effect on the price of fish in the market if this Bill were passed. I want to distinguish between fish and the question of price. Let me take, first of all, the very large fish, the fish that commands at present the highest price in the market. Do you think that would be affected one way or the other if the market for undersized fish was gone?—Perhaps it would not.

707. Then let me take the rather smaller fish which I will call middle-sized fish; that might, of course, possibly be affected by the fact that the purchasing public, who in old times, to a certain extent, bought undersized fish, might now compete in the market for the middle-sized

Mr. Graham Murray—continued.

fish; I suppose that would be the only way it could be affected?—It might be so.

708. Is not that the only way it could be?—That is the only way it could be.

709. In talking of the question of price, must you not take into consideration the other effect of the Bill, namely, that by stopping the destruction of undersized fish you would have more middle-sized fish?—That is the general opinion.

710. If that opinion is right in your view, would not any falling off in price, which there might be momentarily by the disappearance of the undersized fish market, be corrected by the greater number of the middle-sized fish you would have owing to the stopping of the destruction of the undersized fish?—Yes.

711. Do you know how long it takes for an immature fish—I mean immature in the sense of the Bill, supposing it was just under the limit—to grow into a mature fish?—No.

Chairman.

712. Having regard to the fact that everybody agrees that the prohibition of the catching of these small fish is impossible, in what way will this Bill prevent the capture of these fish?—I am given to understand that trawlers would not go to the area where they know undersized fish is. Probably it may lead to other measures being adopted which at present have not been conceived.

Captain Sinclair.

713. You have no personal opinion on this point?—No.

Chairman.

714. Some discredit as to the representative capacity was endeavoured to be cast upon the constitution of the Sea Fisheries Protection Association?—Yes.

715. Can you conceive any possible reason for the existence of that Association, or for the attitude which they have taken up with regard to this Bill other than the desire to increase the fish supply?—The whole sum total of the operations of this society is to increase the food supply of the country.

716. And it is not necessary that the gentlemen belonging to the Association should be practical fishermen to enable them to deal with the question?—Not necessarily.

717. Fisheries committees have been spoken of, and similar observations have been made upon them, and also upon the Delegates who have been sent to the conference?—Yes.

718. Can you conceive of any other object which they have in pressing upon the Government the desirability of passing this Bill than increasing the food supply of the people so far as fish is concerned?—The whole object has been to increase the supply, and all the speeches and references made really have been with that one object—the food supply of the people.

719. What other object also could the great fish-trawling industries of Hull and Grimsby and other places have in pressing the Government to carry this Bill than the increase of the supply of fish. Is there any other possible object?—There is no other possible object.

720. You

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Mr. Towse.

[Continued.]

Chairman—continued.

720. You have been referred to the legislation of foreign countries upon this question?—Yes.

721. Can you conceive of any other possible object that they can have had in passing these laws than in the increase of the fish supply?—That has been their only object.

722. So that whether you take our own fishing association, whether you take the great trawling industries of the great centres of this country, or whether you take the legislation of foreign countries, there is no other object which

Chairman—continued.

it has been sought to serve than the increase of the fish supply?—That has been the only object throughout.

723. Is it a fact that members of your own association represent the fish-selling industry—the fish distributing industry?—The fishing industry generally in all its branches.

724. Let me follow that up by saying, is it also the interest of the fish distributing community to have a large supply of fish to distribute?—Of course it is.

MATTHEW CHASE, called in; and Examined.

Chairman.

725. WILL you tell the committee what is the nature of your business?—I belong to a place called King's Lynn. We are 25 miles from the sea coast.

726. What is the nature of your business. What do you do personally?—Fishing.

727. You are a practical fisherman?—I am a practical fisherman; I have had 35 years of fishing.

728. Do you own your own boat?—I own my own boat, and manage my boat.

729. What is the boat?—Our boat is open; from 5 to 7 tons register.

730. How do you catch fish?—We go what you call trawling, shrimp catching we call it.

731. Your boat is a shrimper?—A shrimp boat.

732. Your main object is to catch shrimps?—My main object is to catch shrimps.

733. I think it would be more convenient if you would just tell your own story. You have come here to say that you object to this Bill?—Yes, we do object to it.

734. Will you tell the Committee why?—The reason we object to it is because six months in the year we catch small soles and small plaice, as you may call them. You may call them small ones, but we call them slips. We catch them from 6 inches to 9 inches. They make from 9d. to 1s. 3d. a pound. We have 70 boats during six months fishing for these fish and shrimping. Out of the 70 boats that would mean 2,400l. in the six months.

735. Pounds sterling?—In money, and likewise we should be short of that fishing altogether. If we could replace it it would be a different thing altogether, but the fish in what we call our Wash we catch them only the six months in the year.

736. Your principal object is to catch shrimps?—Our principal object is to catch shrimps.

737. In catching shrimps you catch a quantity of small fish?—Yes; besides them we catch a lot of star fish, which would kill them; a destructive fish which would kill these small fish.

738. So that when you bring them to land they are dead?—When we bring them to the surface of the water into the boat all we can we save alive; all that is dead are destroyed.

739. Do you throw them overboard?—We throw them overboard again.

740. All that are dead?—All that are dead.

Chairman—continued.

741. What proportion of these fish are below the sizes that are given in this Bill?—I should think we catch them from about 5 inches and 6 inches to 9 inches.

742. What is the use of a sole or a slip 5 inches long?—We sell them to the poor.

743. You do not get 9d. a pound for them?—We do not save a 5-inch one.

744. You throw the 5-inch ones overboard?—We throw them overboard.

745. What size do you retain?—We take from 6 to 9 inches.

746. From 6 to as many inches as you can?—Yes.

747. Is not there a good proportion of the soles above 9 inches or 9 inches?—Most of them are about 8 to 9 inches.

748. But this Bill would not interfere with the selling of soles 9 inches long?—No, it would not interfere with our selling 9-inch soles, but it would a 7-inch.

749. You throw over the 5-inch ones?—We throw a 5-inch sole overboard.

750. Do you throw over a 6-inch one?—No, we do not.

751. What is the difference between a 5-inch and a 6-inch one?—A lot, there is an inch difference. There is as much difference between an 8-inch sole and a 9-inch sole.

752. Can you tell us what proportion of the soles or slips that you land are above 8 inches?—About one quarter of them which we land are 8 inches. The others are under 8 inches.

753. Do I understand you to say that if you do destroy or throw overboard all these 8-inch soles, and under that, the fleet would lose 2,400l. a year?—Yes.

754. If the effect of this Bill was to enable you to catch in 18 months or two years soles a good bit bigger than you catch now, would not that be a great gain to you?—No; we could not get them, because they would not be there. We cannot find the habits of soles; soles do not always replace themselves year after year, like salmon.

755. I understand you would very much rather catch a 9-inch sole than an 8-inch sole?—We would rather catch them.

756. If the effect of this Bill, although it prevented you catching 8-inch soles were to increase the 8-inch soles from that size to 9 inches in within 12 or 18 months, that would be very much to your benefit?—It would be to our benefit; but will it, that is the question?

757. I am

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MATTHEW CHASE.

[Continued.]

Chairman—continued.

757. I am saying, if it does?—It would not.

758. If it does, that would be beneficial, would it not?—It would be beneficial to us, but you cannot make them.

759. I suppose an 8-inch sole does in course of time grow to a 9-inch sole if you leave it in the water?—Six months in the year we do not catch a sole.

760. Is it not a fact that a 7 or 8-inch sole in the course of nature grows to a 9-inch sole?—Not about Lynn; ours is a different class of sole. Ours is what you may call a slip.

761. A slip I understand to be a small sole?—Yes. They are a different class of sole. There are two classes of sole. One is a broader sole than others. Ours does not grow to a large sole.

762. Do you mean to say your 7-inch sole will never grow to a 9-inch sole?—No, I do not think it would.

763. Where do your 9-inch soles come from?—Our 9-inch soles come in the Wash.

764. But your 8-inch sole comes in the Wash too?—No, they are bred in the Wash.

765. That is the limit of size they grow to in the Wash?—That is the limit of size they grow to.

766. Have you anything further to say?—Another reason why we have a great objection to this Bill is that we are under restrictions now. A few years ago we had one of the best oyster fisheries in our Wash. They made restrictions to close up certain parts of it for so long a time, the consequence was that the bed landed out, the silt ran over the top of the bed. It destroyed it altogether. Now at the present day we cannot get any oysters.

767. But the Bill does not interfere with that?—No, that is only a point I showed you to show what restrictions on fishing do.

768. You object to restrictions on fishing?—Well, we have restrictions on mussels and oysters, but I object to all restrictions on fish, on wet fish, clear of shell fish.

769. Do you know as a practical fisherman (we are not now speaking about the Wash) how long it takes for a sole 8 inches long to grow into a sole 10 inches long?—Well, I should say it would take about two months.

770. For an 8-inch sole to grow into a 10-inch sole?—Yes.

771. Putting aside the particular question of King's Lynn just now and taking a larger view of the subject, do you not think that any legislation which will have the effect of allowing an 8-inch sole to remain in the sea until it becomes a 10 inch sole in two months would be a very useful thing for the supply of fish?—I believe, sir, it would in the sea at large—in the ocean.

772. Therefore, although you have come here to say that this legislation would prejudice you, the fishermen at Lynn, you are not prepared to say for the sea fisheries it would not be a good thing?—I think it would be a good thing outside of the Wash.

Sir Brampton Gurdon.

773. You only catch these for six months; what six months are they?—That is May, June, July, August, and September.

774. Then the remainder of the year you only

Sir Brampton Gurdon—continued.

catch shrimps?—The remainder of the year we only catch shrimps.

775. You do catch shrimps all the year?—All the year round.

776. But you do not catch soles with them?—We do not catch soles all the year round.

777. You fish with beam trawls, of course?—With beam trawls.

778. Do you sell small fish for bait at all?—No, we do not.

779. Are none sent from Lynn anywhere?—No bait only mussel bait; no small fish in Lynn is sold for bait.

780. Not for any bait at all?—Not for any bait of any sort.

781. Do you know where the coast fishermen who cannot get enough small bait get it from?—No, I do not.

Captain Sinclair.

782. You are a member of the Eastern District Board?—Yes.

783. Do you speak for the Board or do you speak for yourself?—I speak for the fishermen at large. On the 29th May there was no message sent from the Eastern District on the ground for the conference.

Chairman.

784. That is with regard to the resolution which was passed at the Eastern Fisheries Committee in favour of this Bill?—It was not in favour of the Bill.

785. But they passed a resolution in favour of the Bill?—I do not think so.

786. Yes, I assure you they did; the Eastern Fishery Committee, of which you are a member, passed a resolution and sent it to the Board of Trade in favour of the Bill?—Well, I proposed that we should not pass a resolution in favour of the Bill, but lost by 7 to 3, I think.

787. It was carried?—It was carried.

Captain Sinclair.

788. What you mean is this, is it not, that there was no notice given of the resolution before the meeting was held?—No, there was not.

789. There was no notice given?—That is so.

790. But the resolution was proposed and carried at the meeting?—Yes.

Sir Cameron Gull.

791. How many practical fishermen are on your committee, the Eastern Fisheries Committee?—There are seven.

792. Seven out of how many?—There are 13 others, farmers, lawyers, and parsons.

793. Where do they meet?—They meet at Spalding.

794. How far is that from the sea coast?—That is a 4s. 1d. railway fare.

795. Some way to go?—Yes.

796. Do the practical fishermen as a matter of fact attend these meetings regularly?—No, they cannot, because some of our fishermen have to travel so far that they cannot afford it.

797. Therefore a resolution of these committees, certainly of this committee, does not represent the view of the fishermen at Lynn, but the view of the majority of those gentlemen who are

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MATTHEW CHASE.

[Continued]

Sir Cameron Gull—continued.

are not practical fishermen who have time and money to attend these meetings?—Well, I think there were only two fishermen there.

798. Do you find that there is any serious decrease in the amount of these soles you catch?—No, I believe they have increased this last year.

799. Therefore there is no decrease?—There is no decrease in ours.

800. How long do you keep your trawls down?—Sometimes about half-an-hour, sometimes an hour, and sometimes an hour and a-half.

801. Are the majority of the fish alive or dead when they come aboard?—The majority are alive.

802. And the small ones, I understand, you throw overboard?—The small ones we throw back.

803. I did not quite understand about the sizes of the fish, but I think it was pretty obvious what you mean. You say that you hardly ever get any soles larger than 9 inches?—We very rarely do.

804. And the suggestion put to you by the President, that if you were prohibited from catching soles between 6 and 8 inches, in a few years you would probably get much larger soles than 9 inches, does not commend itself to you?—I do not think we should.

805. Because—I do not suppose you know—probably these fish go somewhere else?—I fancy they would.

806. When they get to a bigger size they go to other grounds?—They leave our grounds altogether.

807. Therefore, you would still only get 9-inch soles?—That is all.

808. As regards the star fish, I understand they are very destructive to small fish, and when you catch them you kill them?—Yes.

809. Therefore, you are doing a benefit to the fishing grounds by clearing out destructive fish?—Well, they are; they do destroy our fish a great deal.

810. I believe that is perfectly well known, and therefore your trawling there would be a benefit to the ground by the destruction of these fish?—Yes.

811. Supposing this Bill were passed, would you be able to continue fishing on these grounds?—That is the difference it would make to us. We should have to fish there because we could not go anywhere else.

812. Your boats are not big enough?—Our boats are not big enough.

Chairman.

813. The main object of your fishing is shrimping?—Our main object is shrimping.

Sir Cameron Gull.

814. Do you get a very considerable number of soles which you get a good market for?—We do have a good market for them.

815. And therefore your profits would be considerably decreased?—Yes, they would.

816. I take it they are none too large at the present moment?—Yes.

Mr. George Doughty.

817. How many men do you carry on the little boats of yours?—Some boats have two, some one and a boy, but mostly two.

818. How many boats are there out of Lyn together?—We have 70 boats on trawling.

819. Then there are about 120 men and boys employed altogether?—Yes.

820. Chiefly, of course, your business is catching shrimps?—Yes, catching shrimps.

821. How do you come to the figures that you give the Committee, that there would be a loss of 2,400*l.* in the year on your earnings; how far you got at that figure?—That would amount to about 13*s.* in a day.

822. You think you can earn 13*s.* a day for this particular fish, which would have to be thrown away?—Yes, we do.

823. Then that is altogether apart from the shrimps; you get all the fish which would be saleable; you go and catch some shrimps, do not, and get some soles and other flat fish amongst them?—Yes.

824. A certain proportion of fish is beyond the eight inches, and therefore you would be able to keep it?—There is very few above the eight inches.

825. You say you would lose 13*s.* a day for the fish that is thrown away; how much do you earn altogether—the man and the boy and the boy per day?—Sometimes we earn about 30*s.*

826. You earn about 30*s.* per day?—Yes.

827. You think there would be a loss to you of about half what you earn if you are prevented from catching this fish?—Yes, I do.

828. What depth of water do you fish in?—From 17 to 19 fathoms.

829. With what size mesh?—The mesh of the net is about three-quarters inch.

830. Very small, I suppose?—Yes.

831. It is more like a herring net, is it?—Yes, it is. Of course those pink shrimps are useful things for striking a net.

832. Have you ever known anyone fish going 25 or 30 fathoms trying to get sole?—No, I have not.

833. Do you think if you were to go into 25 or 30 fathoms you would not find there these little soles which you now catch, but you would find large soles?—I do not think you would.

834. Do you know that as a rule these little fish come on to the shallows in order, first of all, to develop their life?—No, I do not.

835. You are not aware that the main reason why you can catch these little five, six, seven and eight-inch fish is because they have been smaller fish there, and are getting into 14 or 15 fathoms?—The reason why we catch them there is because there is the food for them.

836. Do not you think that if you got into 25 fathoms of water you might find bigger fish?—We have 22 fathoms of water about Lynn.

837. Well, we will say a little more then; we will say 30 fathoms?—No.

838. With your little ship you could not fish there?—We cannot find more than 22 fathoms of water anywhere about in our Wash. We have been over it over and over again, just the same as I might put my hand over this table thousands of times.

839. You

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MATTHEW CHASE.

[Continued.]

Mr. George Doughty—continued.

839. You do not catch all the 8-inch and 9-inch and 7-inch soles in the Wash every year, do you?—No.

840. Where do the others go to?—I do not know. They go outside. They do not stop in the Wash.

841. They are like little boys, they grow bigger as they grow older?—Yes.

842. If you had a bigger ship and went into deeper water, do you think you would find those soles there?—No, I do not.

843. Where do they go?—Ours is a different class of soles. Ours is not like those soles that you are bringing to Billingsgate Market. They are not that class of sole at all. If you get a big sole about Lynn you can see the difference in the fish to what there is in a small one. I do not say a man can tell it by just laying it down. He might say this is a sole, this is 15 inches long or 16 inches long, and that is another one 9 inches, that is a sole, that is just the same but there is a difference in the class of sole.

844. You do not want to imply that none of your soles get bigger than 9 inches, do you?—I do not. I do not say that everyone of them always stops at 9 inches because there is a difference in these 9-inch slips.

845. I daresay you think you know what a 6-inch sole is, but have you ever measured one?—Well I had one not long ago.

846. You measured it?—And measured it.

847. Will you tell the Committee if you remember how much of the 6-inch sole was the tail of the sole?—I could not exactly say.

848. I suppose all soles have tails?—Certainly.

849. You have some idea how long the tail of a 6-inch sole is?—About 1½ inches.

850. Now how much is the head?—I should say about 2 inches long.

851. That is 3½ inches out of 6 inches. That is what I want the Committee to see?—Yes.

852. That is about 2 inches there is left. I am not sure whether your judgment leads you to notice how small a 6-inch sole is unless you put the rule on it?—You must bear in mind a 6-inch sole has not such a big head as a 9-inch sole has.

853. You have no objection to this Bill so far as the general fishery of the country is concerned, have you?—Well, if it passes it will only mean ruination to us.

854. I am asking you apart from your own particular little bay to which there may be some exception?—Yes. In one part of the Bill it says that fishermen shall bear the effects of it. If it is found in a box the fishmonger is exempt from it altogether. The fish merchant is exempted from it but the fisherman has to bear the whole of the Bill.

855. I want to get clear from you this point. So far as the deep sea fisheries are concerned, you say that this Bill will be an advantage to them, do you not?—I think it will be an advantage to the deep sea fishermen.

Mr. Rothschild.

856. You say that your Lynn slips and plaice are different from those found in deeper water and are full-grown fish; how do you know that they are full grown?—Because when we start catching them they are 7 or 8 inches long, and when we leave off catching them they are that 7 or 8 inches long.

857. But a full-grown fish, as most people understand it, is a fish that is fit to breed; when you catch those do you find any spawn in them? Do you find any roe in them when they are cooked?—We do find a roe in them. The spawn on the sole is not the roe.

858. How do you make that out?—Because it carries the spawn about on it.

859. I understand, as most people do, that the spawn of the fish are its eggs which afterwards change into small fish?—Yes.

860. When you catch a fish the hard roe is the eggs and the soft roe is the milt, the male fish, and I simply asked you if you have ever found any roe in the fish when they are cooked?—We have.

Chairman.

861. What sized fish have you found the roe in?—In the seven-inch fish; in the six-inch fish we can find a roe in it.

Mr. Rothschild.

862. No, in catching other fish, not flat fish, have you not ever found that? You find a roe in a small whiting, say seven or eight inches long, and you find a roe in a big whiting?—Well, we do not very often catch whiting.

863. Perhaps you do not, but in any kind of fish you do catch you find a roe in a small fish and in a large fish?—Well, we have.

864. Therefore, although you find a roe in your Lynn slips and plaice, when they are quite small, might not they, if they went into other waters and got more food, grow into bigger fish?—No, I do not think they would. Of course, it is a habit of fish. It is a fish that breeds about Lynn, and they grow in that water and feed there.

865. But you yourself acknowledge that during six months of the year they are not there?—They are not there.

866. Then if they go away for six months in the year do not you think a good number of them remain away and grow into bigger fish?—Well, I do not know whether they do. I do not think so, or else we should catch them.

Sir Brumpton Gurdon.

867. What you say about the small breed of fish would apply equally to Blakeney Creek as well as the Wash?—No.

868. Do you think they catch large fish?—They catch larger fish there—a lot larger.

869. And all along the coast?—And all along the coast.

870. This Bill would not much affect the Blakeney fishermen?—No it would not.

871. You do not catch lemon soles?—No, we do not catch lemon soles.

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WILLIAM THOMAS GOODSON, called in; and Examined.

Chairman.

872. WHAT is your occupation?—Trawling with a half-deck shrimp boat.

873. The same as the previous witness?—Yes.

874. And the same sized boat?—Mine is a little bigger boat.

875. You mainly fish for shrimps?—We partly fish for shrimps, that is the greatest object, but still at the same time we catch these small soles.

876. Do you agree that they are usually less than eight inches?—Well, it seems to us that they do not exceed that size.

877. That in point of fact they never grow any bigger?—They do not seem so to us.

878. You think this Bill would greatly reduce your earnings?—Yes, a great disadvantage to us.

879. You are not prepared to say with regard to what the previous witness called the deep-sea fishing, that it would not be a good thing to increase the size of the soles?—I was never on a deep-sea fishing.

880. But speaking generally, you know that soles do grow much bigger than eight inches?—That is a different class of soles.

881. But you know that is so?—Yes.

882. So far, at any rate, as they are concerned, if they were allowed to remain in the sea another few months, and get to 10 or 12 inches, it would be so much better, would not it?—It is a disadvantage to me to answer you that question. I cannot say whether these soles would remain at sea or not.

883. I am going away from the Lynn soles, and I am taking the general soles in other parts of the coast. This Bill prohibits their being sold under eight inches; they must be beyond eight inches?—Yes.

884. You think that will be bad for Lynn?—Yes, I do.

885. For the small fisherman of Lynn, but do you not think it would be good for the country generally to allow the fish to remain in the sea until they grow bigger, instead of destroying them, as has been given in evidence here. You probably have heard of the great destruction of small fish which have never been allowed to grow into maturity. Would it not be better for the general public that those fish should be allowed to go in to maturity?—How is the general public going to get these big fish?

886. By catching them?—Yes, but I was alluding to the public that eat them.

887. The public that eat them do not catch them?—I quite understand that.

888. There is more weight in a sole of 12 inches than there is in a sole of 8 inches, is there not?—Yes.

889. If the sole of 8 inches, instead of being caught, was allowed to remain in the sea and grow to 12 inches, there would be so much more food, would there not?—I cannot see that that sole we catch would grow to that size.

890. I am not asking about the Lynn soles but the soles generally outside Lynn?—Of course it would.

Chairman—continued.

891. Then, although this Bill might cause loss to the fishermen of Lynn you do not object to it for other parts of the country?—Of course I do not understand other people's views, but it would be quite a disadvantage to Lynn.

Sir Cameron Gull.

892. I suppose your objection to the restriction proposed by the Bill is this, that you do not get 12-inch soles?—On occasions we get an odd one or two.

893. You do not get any number of the somebody else may get 12-inch soles, but you do not?—No, they are the outside fishermen.

894. Therefore you object to it; although a sole might grow, for all you know, and produce does grow, to 12 inches or a good deal bigger, you would not get it?—No, it does not seem to me it. Year after year there is the same fishing, and we get this same class of fish.

895. It does not grow any bigger?—It does not seem so.

896. Therefore any restriction on the sale would materially affect your industry?—Of course it would.

897. While it would not benefit you?—Well, it is like this: it does not seem likely this year after year fishing in this district, we should not catch big soles if they did grow to that size. I am old enough to know, and seems year after year. I still keep fishing in that same water, and still have that same sort of soles.

Captain Sinclair.

898. So far as your practical experience, would it do anybody else any good apart from yourself, apart from the Lynn trade, to prevent these small slips being caught?—I cannot see where that would do much good.

899. You do not think they would get any larger size?—No.

900. I am only talking about these small fish. You know the difference between a pony and a horse, do you not?—Yes.

901. That is an illustration. These fish are ponies, they are small fish, and they never grow into horses?—That is my idea.

902. That is the opinion of the fishermen of your industry?—Yes, in our district.

Sir Brampton Gurdon.

903. Do you find that most of these small fish which you catch when you are shrimping are dead or alive?—It is like this: we often catch a tremendous lot of rubbish, these different sorts of old swinney crabs, and fly crabs, we call them. And of course there is a wonderful lot about the Wash of old shells and old rubbish when our seine is over. These seines open differently. When the weather comes warm is when this filth and rubbish is about, and there is a lot of destruction of small fish.

904. When you catch a lot of rubbish it kills the fish?—Of course it would.

905. How long do you keep your trawl under the water?—If we have a breeze of wind

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W. T. GOODSON.

[Continued.]

Sir Brampton Gurdon—continued.

we should perhaps do so for an hour or three-quarters of an hour, according to the tide, because the current runs very strong and all our nets run on to the silt.

906. If you do not catch much rubbish you find most of the fish alive?—Of course we should. As soon as we catch them dead we throw them overboard. We do not kill anything that is going to benefit us. We have our own interest to look after. If we have a small fish we take it and chuck it overboard if it is not going to be any benefit to us.

Mr. Graham Murray.

907. You have said that you do not think that the Lynn slips ever get bigger than about 8 to 9 inches?—That is my opinion.

908. Do you think that if the Lynn slip stays there, he never grows, or do you think it is this, that the larger fish never goes into the Wash. You see what I mean. Do not answer unless you quite see what I mean?—Yes, I quite see what you mean.

909. Which of these two is it?—Of course we have the two different classes come into the Wash right the early part of May—we shall get the deep sea sole.

910. Do you think that the Lynn fish, the one that is bred in the Wash, never goes away from the Wash at all?—He does not, very seldom, go far out of it, but of course we are not the boat to go out to fish after him.

911. Never mind about the catching of him; I am talking of his habits. Do you think he never goes away?—I say my opinion is he does not, very seldom, go out into the deep water.

Mr. Rothschild.

912. How is it that you cannot catch any soles during six months of the year if they do not go

Mr. Rothschild—continued.

out of the Wash?—They go down into the deep water, into what we call the lower part of Lynn Well, and it is not feasible for this small boat to be run down there in the winter months. There is gales of wind and a lot of dark nights. This is beautiful summer time now, and we venture ourselves down that way. That is 24 or 25 miles from Lynn, and if it comes on a gale of wind that is rather a venturesome job.

Mr. George Doughty.

913. Do not you think they go down into the water for breeding purposes?—That I could not say, because these fish carry the spawn about with them.

914. When they go into deep water they get bigger, do not they?—I would not like to say they do, not this size of sole.

Chairman.

915. You see three soles there [*same handed to the Witness*]. One is 6 inches, one 7 inches, and one 8 inches. Are those about the size of soles you catch at Lynn?—Yes, they are the generality of the fish.

916. Do you really say those fish ought to be caught that size?—We should not say that [*pointing to the 6-inch sole*].

917. You say that the 7-inch sole should be?—Yes, we should say those [*pointing to 7 and 8-inch soles*].

918. Is it the same kind of sole you catch at Lynn?—I would not like to answer that question. I should not think it is by the look of it. I could not tell you a dead fish from a live one in regard to the capacity of it.

919. You think the 6-inch sole ought to be prohibited from being sold, but you think the 7 and 8-inch sole might be sold?—We should chuck the 6-inch sole overboard.

Monday, 25th June 1900.

MEMBERS PRESENT :

Mr. Vaughan-Davies.
Mr. George Doughty.
Mr. Harry Foster.
General Goldsworthy.
Sir Cameron Gull.
Sir Brampton Gurdon.

Mr. Seal-Hayne.
Mr. Pretymann.
Mr. William Redmond.
Mr. Ritchie.
Mr. Rothschild.
Captain Sinclair.

THE RIGHT HONOURABLE C. T. RITCHIE IN THE CHAIR.

Chairman.] I WANT to put before the Committee a letter which I have received, this morning, with regard to the evidence of one of the fishermen witnesses from Lynn, who came before us the last time we met. It will be in the recollection of the Committee that the witness, who was a member of the Sea Fishery Committee of that district, stated that although the resolution in favour of this Bill had been passed by a majority of, I think, seven to three, it was a surprise motion, and that no notice had been given, that the question was to come up, that was his evidence. I have a letter, to-day, from the Clerk of the Eastern Sea Fisheries Joint Committee, at King's Lynn, in which he says: "Dear Sir—Sea Fisheries Bill, 1900, Select Committee—I have observed in a report of the proceedings of this Committee, on Thursday last, that Mr. Chase stated that an unexpected resolution was passed without notice. This is not correct. I enclose an agenda of the meeting which was sent to each member of the Committee eight days previously, and a print of

the Bill. I shall be obliged if you will hand the agenda to the Secretary of the Committee if you think this advisable, as the statement of Mr. Chase hardly conveys the true version of the case, yours faithfully, W. D. Ward." This was addressed to the Fisheries Department of the Board of Trade. I have here the agenda which was spoken of which was referred to in the letter. One of the items on the agenda was "to consider the Sea Fisheries Bill, Session 1900." Therefore it is clear that the witness was mistaken in saying that it was sprung up on the Committee as a matter of surprise, it being clear that not only was an agenda in which the Sea Fisheries Bill was included sent to each member of the Committee eight days before the Committee met, but a copy of the Sea Fisheries Bill itself was also sent to each member of the Committee, so that when they met the Committee was fully charged not only with the Bill, but that the matter was to be considered with the whole particulars of the proposed legislation.

Dr. ALBERT GÜNTHER called in ; and Examined.

Chairman.

920. HAVE you made yourself acquainted with the provisions of the Bill which is now before the House, and which we are at present considering?—I have read it.

921. You are aware that the Bill proposes to fix a limit of size below which flat fish shall not be sold?—I am.

922. And that this has been done with a view of endeavouring to increase the supply of mature fish available for catching?—Yes.

923. I should like you, if you will be good enough, to give us your opinion as to the advisability of an enactment of this kind, and as to the probability of its effective operation?—I think that it is highly desirable that a Bill of this kind should be passed, and the Bill recommended itself to my own mind particularly by its very simple, plain and practical nature. In the first place it avoids everything which seems to be very difficult of being put into practice. It does not say anything about a prohibi-

Chairman—continued.

tion of capturing those fish, which in fact would be quite inoperative. It simply says that fish, if caught of a certain size, should not be exposed to sale. It also leaves it open that the best possible use could be made of such fish as are, as it were, accidentally captured. It allows the people to use them for themselves, to eat them, but it discourages their capture, in as much as it will prevent steam trawlers and others from going to places where they know almost with certainty that they will capture chiefly undersized flat fish, and that it will not pay them to work these grounds if they are obliged to depend upon large fish only. Of course it may be said that the steam trawler who has had the trawl down over a productive ground for five or six hours will catch such a number of undersized fish that the men really cannot use them as food. But in that case there is also some use for them, and that is that they can be used as ground bait by the steam trawler. I do not speak from my own experience.

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[Continued.]

Chairman—continued.

experience, I only speak now from conclusions which I draw from reading about trawling. I mean to say that if a steam trawler has got a lot of these undersized fish to throw overboard they may be thrown overboard at a place where large fish, like codfish, assemble. If say, something like half a ton or a ton of these small fish were thrown overboard they would act as ground bait, and it is quite practicable to use them as ground bait to a considerable depth, that is to say a depth of ten or fifteen fathoms, and after some time the trawler may go over that place again and make a good catch of full-sized fish which have been attracted by the ground bait scattered over the bottom. It must also be remembered that flat fish are extremely tenacious of life. Many fish, particularly large-scaled fish, or fish without any scales, cannot bear the least rubbing or injury to their skin, and after a few days they die. But the skin of flat fish is very tough indeed, and they are not easily injured by friction. There is no denying that a great number of these fish which are brought up by a steam trawl will be dead, but a large proportion are sure to survive, and many a flat fish which I have considered dead after it has been put in water has revived. Well, these are some of the considerations which speak very much in favour of this Bill.

924. May I ask you what period of time elapses ordinarily—to take a sole—between the growth of the sole from the prohibited size in this Bill to a size that it would be legal after the Bill passed, to catch? I mean how long does it take for an 8-inch sole to grow into a 10-inch sole?—I should say certainly twelve months, from the rate of growth. The rate of growth of the sole is this. If you will allow me I will refer to this paper as I have a very short memory for figures. Various authors report that the fry of the sole grows to two inches in six months. After twelve months it reaches a length of from three to six inches. After two years these 3 and 6 inch soles have grown into soles of at least 8 inches, but most of them to 9 or 10. At a later period they grow more slowly as they proceed in age. This is the case with all flat fish. The growth is not uniform. In a normal state it proceeds more rapidly when they are young than when they are three and four years old. In answer to your question how long a sole takes to grow from 8 to 10 inches, I should say it certainly takes a year.

925. Have you any information as to the rate of growth of plaice?—No, not in a natural state. There is information given of plaice kept in captivity, but these are under abnormal conditions, and I should not consider them worth consideration.

926. I take it you would consider that with regard to any flat fish named in this Bill, allowing immature fish to remain 12 months longer in the sea would convert them from immature fish to mature fish?—I do.

927. That is to say, convert them from fish which ought not to be sold under the Bill to fish that could be sold under the Bill?—Well, not quite so in every case. Take, for instance, the turbot. The minimum size for the turbot is

Chairman—continued.

put down as 10 inches in the Bill. The smallest mature male turbot is 17 inches. I do not think that a turbot would grow in one year 7 inches.

928. I used a wrong term. I meant grow from a size which could not be sold if the Bill were passed into a size that could be sold if it were passed?—Yes.

929. Do you think the effect of this Bill would be an increase in the breeding stock and also an increase of the size of the fish in subsequent years?—Certainly. About that I have not the least doubt, and I would recommend also, or mention to the Committee—I daresay it has been mentioned also by other witnesses—the observations and investigations which have been made into this very subject for and on behalf of the Danish Government, by Dr. Petersen. Dr. Petersen is clearly one of the most reliable of authorities by whom we can be guided as regards the biology of flat fish, and he is distinctly of opinion that the size of these economic fish would be greatly improved by a restriction by law such as is proposed in this Bill.

930. I suppose you consider the increase of the breeding stock a very important consideration?—I consider it a much more important consideration than Dr. Petersen, among others, will admit; for this reason: these fish, as you are aware, breed chiefly in deep water. After spawning the eggs come to the surface and float there, over water of, say, 20 to 40 fathoms, at a considerable distance from the shore, perhaps 110 to 120 miles or more. Now these ova are exposed to innumerable risks of destruction on their passage from the place where they have been shed, until they reach the coast where they develop into larger fish. It is not only the innumerable animals of prey which devour them, I must say the laws, by which most of our sea birds are protected, are very much answerable for a great destruction among the ova and among the fry; but further, they are exposed, while they are floating, to the action of the water. Many of them in rough weather are thrown ashore, when they approach the land. There is a very small percentage of them that can, in a normal state, ever develop into perfect fish. Therefore it is absolutely necessary that the breeding stock itself should be kept up.

931. With regard to that answer, does the spawn make for the shore?—Yes, the fry does. All these fish spawn in deep water. When the young ones are hatched, which takes place ordinarily in 10 or 14 days, the young ones which are in a very undeveloped condition gradually sink to the bottom, and during that time they are perfectly at the mercy of the currents, and then they are carried a long distance from the place where the spawning has taken place. Such as reach the bottom may gradually make their way towards the shore. There they enter the shallowest parts of the shore—sandy places, in which they can hide themselves. There they develop, and they remain there for a year or two. They only retire into deeper water when frosty weather comes on. No flat fish can stand cold weather. When the time arrives at which to propagate they make again

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[Continued]

Chairman—continued.

again for the breeding places in deep water and there the process of propagation takes place. It is a circle of habitat.

932. So that it is known, take the shallowest part of the North Sea for instance, that in that part of the sea are to be found large quantities of these immature fish?—In the shallow parts of the North Sea they are in large quantities, and also in what are called the eastern grounds, that is, the ground along the coast of Holland and towards the coast of Denmark. There is a large belt not very far from land on which there is only five to fifteen fathoms of water, and I believe that is the ground which is chiefly frequented by the steam trawlers to catch plaice.

933. Are there large quantities of mature fish to be found in these shallows?—Yes, in the winter time there are, when they have proceeded so far in their growth as to reach the length of 9 to 13 inches.

934. But the great bulk of the inhabitants of those waters are the small fish?—The small ones.

935. Before you leave the question of size, we had a witness here the last time we met who stated to us that the sole to be found in the Wash was not the ordinary sole, and that it did not grow beyond about 8 inches, or occasionally a little more. Do you agree that there is any special sole to be found in the waters of the Wash, that it does not grow as other soles grow?—I am afraid that the man is mistaken; and is not a good observer. I know of no other sole which occurs in any quantity on the British coast except the common sole, except the little sole, that which is called the solenette. The solenette grows at the outside only to a length of 5 inches, and this man as you say, I think, speaks of 7 and 8 inches; so he cannot have meant the solenette. But, besides the solenette, there is no other sole on the East Coast and South Coast of Great Britain with which our common sole could be confounded.

936. Then you feel sure that these soles that this Witness spoke of as being seven inches if they were left quite undisturbed in the water would grow to the size of an ordinary mature sole?—They would very likely leave the Wash for deeper water in the coming spring in order to propagate there, and whether they would, after the spawning, return to the Wash, of a larger size, I am not prepared to say.

937. Then you would say that, suppose they did leave the Wash in order to propagate and did not return again, the fish caught in the Wash was immature fish which ought not to be caught?—Certainly; it would be a loss to the fishermen of the Wash, but it would be a gain to the man who fishes outside in deep water.

938. You are quite clear, are you, that whatever other remedies there may be in order to promote the increase of fish in the sea, a Bill of this nature at least ought to be passed?—I think it is one of those Bills which offer an excellent prospect of most beneficial effect.

Mr. Harry Foster.

939. I think you gave evidence before the Committee in 1893. Do you remember giving

Mr. Harry Foster—continued.

evidence before a similar Committee of the House of Commons?—I do not.

940. You are Dr. Albert Günther, are you not?—Yes.

941. I think you gave evidence?—I beg your pardon, but the fact is I really have at this moment no recollection that I gave evidence.

942. I think you can take it from me that that you did give evidence?—Certainly.

943. At that time that Committee had before it the same subject as this Committee is considering. I have read through your evidence. I have a little difficulty in asking you questions because you do not remember even having given evidence, but I do not see in your evidence any recommendation such as you have given to-day to prohibit the landing and sale of fish below any certain size. It was one of the subjects that Committee had to consider. It does not appear to have given a word of evidence on that point, but you did give evidence recommending hatcheries, and recommending inland ponds where the fish should be preserved in order to come to maturity?—I recollect now yes, I did. If the honourable Member will allow me I may remark that I am rather loth to give evidence on the industrial aspect of this question because I myself have made the study of the flat fish and of fish generally, chiefly from a natural history point of view. I know that others have taken the other side of the investigation, the more practical side, and I think that their opinion should be heard before mine.

944. That is to say you have not studied the commercial side of the question at all?—I have not.

945. You merely come here to speak as a naturalist?—I do.

946. Then when you express the opinion that this Bill by prohibiting the landing and sale will be a good thing you are speaking again from the scientific point of view?—I am.

947. You have not gone into the question, I suppose, of how far the prohibition of landing and sale would save the life of these young fish?—I have some experience in that. I have seen something about trawling on the South Coast, and I have seen how a certain proportion of the fish are actually killed, but there remain a certain other number which can be saved by being returned to the sea.

948. Have you seen much of steam trawling?—No, not much.

949. Are you aware that the principal destroyers of these young fish are the steam trawlers, and that the bulk of the fishing is done now by them?—So I have been told.

950. Are you aware that the evidence given, almost uncontradicted, by practical fishermen in the 1893 Committee, was that in the case of steam trawling something like from 80 to 90 per cent. of the young fish are dead or dying when the trawl is brought up?—I have heard of this, but I have also read, for instance, in the reports on the fishery as it is carried on on the Danish coast, that a large proportion are saved.

Chairman.

951. I want to direct your attention to the question

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question asked. The honourable Member asks whether you are aware of what the bulk of the evidence before the Committee of 1893 was. Are you aware of what the bulk of the evidence was?—No, I am not.

Mr. Harry Foster.

952. You have not read it?—No.

953. Then I will put it to you in another way. You say you have very little practical personal knowledge of steam trawling?—Very little.

954. You did say these flat fish are very tenacious of life?—Yes.

955. You are aware that with the steam trawlers the trawl is down, on the average, something like five hours?—Yes.

956. And that when the trawl is brought up the cod end, to which most of these fish go, is very often full of sand and other matter besides the fish. You are aware of that, I presume?—Yes.

957. If it is stated by a fisherman that from 80 to 90 per cent. of the young fish are dead or dying, would you be prepared to contradict that from your personal observation?—I should. That fisherman speaks of fish; I speak here of flat fish.

958. I am putting it to you with regard to flat fish of course?—That fisherman who speaks about 80 and 90 per cent. being dead speaks of fish generally.

959. That was not what I put to you, or what I intended to put to you. You have said you have not read the evidence, and therefore all I can do is to ask you, supposing the fisherman says—as you can take it from me that many a fisherman did say—that with regard to the flat fish to be dealt with under this Bill 80 to 90 per cent. of them in the case of long hauls would be destroyed when the trawl is brought up, have you any personal knowledge by which you can contradict that statement?—I have no personal knowledge.

Chairman.

960. Do you believe it to be correct?—I do not.

Mr. Harry Foster.

961. May I ask why you do not believe it to be correct?—It depends a great deal upon circumstances. It depends upon the size of those fish. If the fisherman happened to have had a capture of very small fish, say of plaice 3 and 4 inches in length, he may be perfectly correct. If those plaice were on an average 2 inches longer he would not be correct, because the larger fish can more resist any outside injury.

962. So that the younger the fish, the more delicate its life?—Yes.

963. And, therefore, the smaller the fish the greater would be the destruction by the trawl?—It would.

964. Are you aware of the very large destruction in our markets, for food purposes of these small fish, from their being unsaleable?—I have read and heard about it.

965. You have heard that very large quantities of them are destroyed?—I have heard about hundreds of tons having been destroyed.

966. For manure, because there is no market for them?—Yes.

Mr. Harry Foster—continued.

967. How do you think this Bill would discourage the fishermen from going to the same grounds that they go to now; if these small fish are destroyed in such large quantities for lack of a market?—Supposing they go over to some part of the eastern grounds, they find that, on a certain tack they meet with great shoals of small fish—under-sized fish, knowing that they cannot make any use of them they will discontinue going over that part again, whilst if they caught larger saleable fish, they would go over it perhaps twice, three, or four times, until they found that they had exhausted it.

968. Would not they do the same thing to-day without this Bill?—Not if they found a sale for these fish, or at least for a part of them.

Mr. George Doughty.

969. Have you any actual knowledge of the markets of the country where this stuff is sold?—I have no actual knowledge. I can only speak from second-hand information.

Mr. Harry Foster.

970. You are speaking with regard to the theory of this Bill. It is a theory, is it not, that these men will keep from these grounds?—I think it is common sense.

971. Theories sometimes are common sense, but it is purely a theory, is it not, so far as you are concerned?—As far as I am concerned.

972. A theory is propounded that if the men are not allowed to sell fish below a certain size they will then keep off certain grounds?—Yes.

973. That is the ground on which you are basing your opinion of this Bill?—Yes.

974. There is nothing to prevent the men going on these grounds?—Nothing.

975. They might still go there?—There is nothing in the Bill to prevent them.

976. And although one fisherman might keep off, another fisherman might go on?—Certainly.

977. The assumption is that these grounds are now largely frequented, and therefore that the destruction takes place very largely. Your theory is that if this Bill is passed it will deter a certain number of men from going to these grounds, but will not that very fact make those grounds more tempting to the minority who do go?—What use could those who do go make of the fish?

978. I was asking you the question, because you gave a very emphatic opinion at the commencement of your evidence that the Bill was very desirable, that it was simple, plain, and practicable. Therefore I was endeavouring to test the grounds for your opinion?—Of course I have paid a certain amount of attention to the results of practical investigations, although I myself did not engage in them; and I must again direct the attention of the Members of this Committee to the investigations of Dr. Petersen, who is a thoroughly practical man, and who discusses this question thoroughly. I daresay I may have been biassed by his opinion.

979. From your own scientific knowledge, can you tell us whether there are any parts of the North Sea in which there are only the small fish and

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Mr. Harry Foster—continued.

and none of the big ones?—Do you mean outside territorial waters?

980. Yes?—No, I do not.

981. Would you say that there is no place that you know of where the fishermen would be certain only to catch small fish?—That must be the case at certain times. That is the experience of the ordinary sea fisherman. Take for instance the Parr Sands, on the Cornish coast. I knew these sands 20 years ago, and fished there, trawling and seining, and at certain times we caught only small fish, worthless fish, and at other times larger fish did come in.

982. So that your experience was that on the same ground sometimes you only got little fish and sometimes big ones?—Yes, and sometimes mixed.

983. That would apply, I suppose, so far as your scientific knowledge goes, all over the North Sea?—Certainly: one might fairly say that that would apply to all parts of the North Sea.

984. In your experience are the movements of these fish regulated, in any degree, by climatic influences, a warm spring or a cold spring?—They are. There is also a certain difference of habit between plaice and turbot. Even large turbot are not rarely found near to, and in shallow water. So with the brill. The turbot and the brill often spawn in much shallower water than the plaice and the sole.

985. Are they migratory in their habits?—They are.

986. You spoke about a mature sole. At what length does a turbot come to maturity?—I should say no flat fish, as far as we know them, certainly no economical flat fish, comes to maturity before the second year.

987. At what size normally would a turbot come to maturity?—The male at 17 inches and the female at 20 inches.

988. And the sole?—The smallest mature sole that has been recorded is 8 inches. That may be considered almost an exception. The smallest mature female is 10 inches.

989. The president told you about somebody who had given evidence here from Lynn. His evidence amongst other things was that a sole at 8 inches carried roe, and had come to maturity. From your evidence I take it that would be possible?—Yes.

990. What is the normal size of a sole at maturity, the general run?—I should say 10 inches, 10 for the male and 12 for the female.

991. For brill?—The brill is mature at a smaller size than the turbot. The male reaches maturity at 10-inches.

992. And the female?—At 13 inches.

993. Plaice?—That varies immensely. The plaice varies as regards size in different localities. On the whole, in the southern parts of our seas, in the Channel, they are perhaps on an average 3-inches smaller than in the north.

994. Does that apply to flat fish generally?—No, only to plaice.

995. Plaice in the English Channel?—The plaice in the English Channel is of a smaller size at maturity than the plaice on the East Coast.

996. At what do you put a plaice in the English Channel at maturity?—At Plymouth

Mr. Harry Foster—continued.

the smallest mature male was 8 inches and the smallest mature female 9 inches, but those were clearly exceptions: they are the smallest which have been observed.

Chairman.

997. To carry on the question which the honourable Member asked you with regard to other fish, what would you say was the ordinary size of mature fish in the Channel?—In the Channel I should put them both at 2 inches higher.

Mr. Harry Foster.

998. That is 10 and 11 inches?—Yes.

999. Can you tell me the normal size of fish on the East coast?—Without making a distinction as regards sexes, the average size of a mature fish is 13 inches on the East coast.

1000. I think you stated in your evidence that you considered the increase of the breeding size the most important consideration?—I do.

1001. Do you mean by that the preservation of these fish at the size at which they attain maturity?—The preservation of these fish before they reach maturity in order to enable them to spawn once or twice before they are captured.

1002. You are aware of the sizes mentioned in the Bill?—Yes, I am. I have compared them. Many natural historians measure the fish only to the base of the caudal fin. They leave the tail out as it is variable and liable to shrink.

1003. These sizes that you have given me exclude the tail?—No, I give them inclusive.

1004. Under the Bill it is suggested the turbot should not be sold below 10-inches—Yes.

1005. Would that, in your opinion, be sufficient protection for these breeding fish?—I think it might safely be put higher.

1006. Do you think it ought to be put higher?—If I had had the framing of the Bill, or if I had been asked about the Bill, I should have put it higher.

1007. What size would you have put it at regarding the turbot I certainly should have put it at 13 inches.

1008. What about the other fish?—I should have made no alteration as regards the others.

1009. Do you know anything of the experiments which have been carried on in Scotland under the Scottish Fishery Board in the closed bays?—I have heard of them, but I have not had time to consult them.

1010. Do you know Professor Mackintosh?—Yes.

1011. Are you aware that where bays have been compulsory closed against all trawling it is very gravely questioned whether that does not do more harm than good in other ways?—I have not followed out that matter. It has been stated and it has been contradicted.

Mr. Harry Foster.

1012. It is a matter in controversy between scientific men?—Yes, and the majority of the papers which I have read about it seem to be against Professor Mackintosh's conclusion.

Sir Brampton Gurdon.

1013. Can you tell us how long it takes a sole

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Sir Brampton Gurdon—continued.

to grow from 6 to 8 inches. You told us what it took to grow from 8 to 10 inches?—We will assume perfectly normal conditions, because there are always in all fish a certain proportion of individuals which do not grow at the same rate as the normal. These abnormally smaller or dwarfed specimens are so numerous as to vitiate very considerably our observations, but assuming a sole normally grown to 6 inches, that I should say is 12 months old: in the next 12 months it will be from 2 to 3 inches longer, more likely 3 than 2.

1014. At what time of the year do the flat fish go to the shallows to spawn?—The flat fish do not go to the shallows, they go into the deep to spawn. That again is very variable. The spawning time of the sole has been found sometimes to be at the beginning of February and in other cases at the end of May.

1015. Do the other flat fish spawn about the same time between February and May?—Yes, at least these four fish which are named in the Bill.

Captain Sinclair.

1016. You share in the belief of the exhaustion of the North Sea?—I do.

1017. To what general causes do you attribute it?—I think to over-fishing.

1018. Is it not the case that the exhaustion is principally confined to flat fish—that there is a more marked exhaustion with regard to flat fish than in the case of herring or other round fish. That was the evidence given in 1893, I remember?—I am not prepared to answer that question.

1019. This legislation rather points to that, does it not, it protects flat fish. It does not protect herrings, and it does not protect the other kinds of fish?—No.

1020. So we may gather, I think, may we not, that the marked diminutions is excessive in the case of flat fish?—Yes.

1021. At the same time you have told us to-day, that flat fish have greater vitality than round fish or other kinds of fish?—Yes, against mechanical injuries.

1022. Therefore, they should suffer less from over fishing than the other kinds of fish. If flat fish have more vitality, it is curious to observe that they should suffer more?—Well, there are so many various other considerations. Other fish have got better means of escaping from the trawl, they are quicker in the water than flat fish. A flat fish, which is buried in the sand, is stirred up just before the rope of the trawl comes very near to it; it makes a jump out of its place of concealment, but cannot escape the trawl. Other fish, like cod fish and the different sorts of whiting, and so on, depend more for escaping upon their activity than upon concealment.

1023. Dr. Petersen's investigations were more or less confined to the inland seas of Denmark, were they not?—Yes, to the inland seas and to the coast.

1024. Have you any information as to what the results of protection similar to that proposed in this Bill have been in the case of foreign countries?—I have no knowledge of that.

026.

Captain Sinclair—continued.

1025. Of course the effectiveness of this measure in protecting the North Sea depends greatly on its being international?—No doubt, but not quite, because I believe the flat fish are rather more stationary, that is to say, they keep more to the district in which they have once settled than is generally believed. When soles or plaice have been once settled and spawned outside of a certain district on the East coast, I believe they keep very much to that part of the East coast; there is no reason why they should wander away.

1026. At the same time, of course, if the fishermen of a number of countries are all fishing in the North Sea, unless we stop them all catching immature fish we shall not completely protect the fish?—No doubt, does it not stand to reason that the other countries will follow if Great Britain and Denmark commence to protect the fisheries?

1027. We may hope so, but still that is a matter of opinion at present. You say this is not a complete protection, and you mentioned a belt on the east coast of the North Sea as being that which it was desirable to protect. How far from the shore does that go out; is it outside the territorial limit?—Yes, it goes outside the territorial limit—partly inside and partly outside the territorial limit.

1028. Would you suggest that it would be a protection to the food supply if we could extend the territorial limit?—About that I would not off-hand give an opinion.

1029. Scientifically it is impossible to say?—Any increased protection must be beneficial; that I can say scientifically.

1030. Scientifically from the experience gained in the closing of the territorial waters to trawling and from other investigations is it a more complete protection to close the area to trawling altogether or to institute provisions such as are in this Bill?—I believe the closing of small areas is of very little use, but if the areas were extended it would be of the greatest possible use.

1031. To all the countries?—To all the countries concerned. If the North Sea could be divided into a certain number of large areas which successively would be closed each for a period say of about three or four years, that would be the most effective protection of fish, but I am aware there are difficulties such as policing.

1032. That would involve an International agreement which at present does not exist?—I believe not.

1033. Are you content with the results which have been obtained by scientific investigation into fish and their movements, and life and so forth?—Very far am I from being content. I think a very fair commencement has been made, but the means in aid of these investigations are so inadequate that we have not made much progress.

Mr. Harry Foster.

1034. Do you mean financial means?—Yes.

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1035. Anything

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Dr. GÜNTHER.

[Continued]

Captain Sinclair.

1035. Anything we do, though it is founded on the present results of experience, must be more or less testative, because our knowledge is so incomplete?—Yes; still we are always justified in taking measures in accordance with the present state of our knowledge.

1036. I am not endeavouring to elicit any opinion from you against this proposal. I am rather endeavouring to take this opportunity of eliciting your opinion as to the desirability of our proceeding further in the matter of scientific investigation?—I am fully in agreement with that.

1037. You said that dead fish thrown overboard might act usefully as ground bait. A great deal of evidence was given in 1893 by practical fishermen to the effect that a large number of dead fish such as are thrown into the sea when a net breaks or anything of that kind happens, frighten away the live fish?—I am aware of that having been stated, and under certain circumstances that may certainly be the case, but under ordinary circumstances you must consider that you are over, say, 15 fathoms of water. You have to throw overboard half a ton of fish. By the current of the water those fish are already spread out very considerably, and carried a considerable distance away from that place and scattered over the ground. They are generally thrown away where there is a great deal of animal life at the bottom. That animal life will at once take advantage and proceed to devour the fish. They will act as scavengers. What I maintain is that, although I will not deny in certain localities it may vitiate the ground, generally it will attract other fish, such as cod-fish and congers, and when the trawl goes over that ground after a little while it would catch these fish.

1038. As I understand it, the key to your approval of this Bill is that it will tend to protect the breeding stock of fish in the North Sea?—And also increase the average weight of the capture of future years.

Mr. William Redmond.

1039. I presume your observations generally with regard to fish and fisheries might be taken as applying to Irish fisheries as well, or is there anything special with regard to Irish fisheries?—The Irish fisheries as far as I know are different in many respects. For instance, the sizes which I have given of these fish are entirely taken from English specimens and not from Irish specimens. The largest sole which has come under my notice was an Irish sole. I believe that on the whole many of these fish, turbot for instance, are generally larger on the Irish coast. I have no experience of the fish and fisheries on the Irish coast.

1040. You have no special information which you could give us with regard to the Irish fisheries?—No.

Sir Cameron Gull.

1041. When was your attention first called to the proposals in the Bill?—I am afraid I must say a very short time has been allowed me—since Friday last.

1042. In 1893 when you gave your evidence you did not consider the suggested remedy so

Sir Cameron Gull—continued.

important?—I am not prepared to give an opinion about my own evidence in 1893 without first having read it again. It is very unfortunate that I have not read it. I daresay that I could give a full explanation of the evidence which I have given there.

1043. It is very brief, and it really only deals with the point of fish hatches. You were asked, "I do not know if there is any other point which you wish to speak to," and you say, "No, except to press on the Committee the question of the fish hatches." Now as regards the theory of this Bill, I take it you would agree that its validity, and its use must depend practically on two considerations. First, the hope which has been expressed that if the sale is prohibited the men will not go on these grounds, and I think if the men still go on these grounds, you will agree that it will do very little good. Perhaps I may ask you the question directly. Supposing the hope that is expressed that such and such legislation will prevent men going upon the ground is not justified, then do you think the Bill will do much good?—I believe the men will be prevented in the first instance by their own interest, and secondly the number of steamers going there certainly will be lessened.

1044. Why do you think the men would not go on the grounds?—The men can go there and fish for them, and will fish for them if they find a market in some other country, but in what other country would that be? They cannot sell them in Denmark.

1045. You can sell soles in Denmark, Germany, and Holland: soles of any size?—At any rate if they go there and sell them there the fish will be protected here; they cannot catch them here and carry them over to the foreign countries.

1046. Are you aware of any places on the coast, say, British territory where large quantities of these fish are caught?—I believe off Brixham.

1047. As regards the territorial waters, I suppose you are aware that they are already protected?—Yes.

1048. If our hope of excluding men from the grounds is not borne out, and the men still go there, do you, or do you not, agree as to the usefulness of the Bill?—Of course the efficacy of the Bill would be greatly impaired, but will not the other Governments also see the great advantage to be gained by such a Bill; I should say within a short time they would follow the example of Great Britain.

1049. I did not quite understand as to the sizes. We were told the other day by Mr Archer that there had been some change of scientific opinion as to the necessity of raising the size under the Bill. I think you will agree with me that the general tendency of the scientific evidence in 1893 went to show that the Bill would be of very little use unless it protected fish up to the size of what is called sexual maturity. The evidence went to show that it would be of very little use in protecting fish of such small size as are in the Bill on the ground that you must go much higher than that and protect them until they can reproduce; is not that so?—I have no distinct recollection of what happened in 1893. What I maintain is this: that the sizes as they have been put down here in this Bill will protect the fish up to that period at which

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Sir Cameron Gull—continued.

which they would be ready to spawn, that is to say, the sole that is less than 8 inches long will be protected and will be allowed for another six months to grow, and in that case it has got a chance of propagating its species.

Chairman.

1050. I have looked through your evidence of 1893. You were not asked a single question with regard to sizes or any matter included in this Bill. Your evidence was entirely on the question of hatcheries?—Yes.

Sir Cameron Gull.

1051. I understood your evidence just now to be that a sole of 8 inches, spawning, was entirely exceptional?—A mature sole, yes.

1052. And that you would put the mature size much higher?—Yes.

Chairman.

1053. Did you say much higher?—Not much higher, no, I said 10 inches; that was the size of sexual maturity.

Sir Cameron Gull.

1054. I believe there is a great difference of opinion among scientific experts as to this sexual maturity size?—There is no disparity between naturalists, because a man examines a lot of fish, say 200 or 300, and measures them, and states exactly how many of these fish of a certain size have been found mature and how many immature. But there is a great variation among the fish themselves.

1055. Still, the scientific evidence that was put in some years ago seemed to have given a great deal greater size for the maturity of these fish. We have a table put in by Professor Calderwood in which he puts the turbot at 17, the brill at 15, the sole at 12, the plaice at 17, the lemon sole at 11, in the North Sea?—I put down the turbot at 17.

1056. The brill he puts at 15; you say 10 and 13?—Yes.

1057. The sole at 12, plaice at 17. Those are the four fish included?—Yes, he puts them higher. As to these which I have taken I have consulted the observations which have been made by the officers or employes of the Marine Biological Association, by Day and Yarrell.

1058. Are there any other flat fish which you think should be included?—No.

1059. Do you recommend that the same size which is prohibited in the Bill should extend to Ireland, and to all parts of the coast. You said they were bigger in Ireland?—Well, I should say that it would be well to hear the opinion of men thoroughly acquainted with the Irish fish and fisheries, which I am not.

1060. The same answer, I take it, would apply as to the west coast?—Yes.

1061. And to the channel?—And to the channel.

1062. You think it might be necessary to have different sizes in the Bill?—No. I think that it would be useless to have different sizes for different districts.

Chairman.

1063. On the whole you are satisfied with the Bill?—Yes.

026.

Sir Cameron Gull.

1064. You said you would like them considerably higher?—Only as regards the turbot.

1065. Is there any scientific evidence that could be consulted about Ireland?—Yes.

1066. Can you tell me whether any scientific experiments have been made as to whether the destruction of these small fish is owing to natural causes. What I mean is this: we are supposed to know what destruction occurs by fishing. I want to know, in the event of the fish being hatched, what destruction occurs owing to birds and predaceous fish, and other accidents that small fish have to go through. Have any experiments at all been made on that point?—Actual experiments have not been made, and cannot well be made. It can only be ascertained, for instance, if one wants to see whether certain gulls do any destruction, by killing some of the gulls and examining their stomachs.

1067. Has that been done?—That has been done over and over again. That can also be seen in a very simple way by watching the gulls and seeing them picking up young fish on the surface.

1068. They do a great deal of damage?—They do; so do the various kinds of guillemots, and auks—swimming birds, which go far out to sea.

1069. Then considerable destruction takes place owing to star fish and all that kind of thing?—Among those which are at the bottom, yes.

1070. Do you think that that destruction is enormously greater than anything that man does in limited areas by fishing?—Infinitely greater.

1071. The natural destruction?—Yes, the natural destruction among the small fry.

1072. It is far greater by natural causes?—Far greater. As has been said, the sea would be simply alive with fish if everyone of the young came to maturity.

1073. It is the fact, is it not, that this destruction by fishing vessels of this immature fish takes place during a very short period in the year—some three or four months?—I cannot say from my own experience during which months the fishing is chiefly going on by trawlers.

1074. We have the evidence put in before us that the destruction of these small fish, or, at least, their coming to the market, only takes place during three months, while the destruction by natural causes goes on all the year round?—I must guard myself, as I said before, by saying that my observation as regards the great destruction by natural causes applies only to very young fish.

Mr. Vaughan Davies.

1075. Could you tell the Committee how long you think one of these small immature fish would live if not seriously injured in the trawl when landed on the deck of the boat so as to be in a fit state to return it to the water?—That will depend a great deal upon the outside temperature. I have known a flat fish or a flounder to lie on the beach for a couple of hours in the sun, and with the edges of the fins nearly dry and yet recover.

1076. Do you think from a scientific point of view that it would be possible for these fishermen when

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when they are clearing their trawl to be able to throw back a very large quantity, if not 90 per cent., of these small fish into the sea, and that they would live again. Have you ever seen a trawl worked?—I have seen a trawl worked.

1077. You know how they separate these fish. Do not you think they could throw back these small fish into the sea, and that instead of their becoming food, as you describe it, they would live and grow?—Some of them would certainly.

1078. How many per cent. do you think would?—That depends entirely on how long the trawl has been down, and whether it has been going over very muddy ground. Muddy ground is much more to be feared than pebbly ground, because mud clogs their gills. I should say in some cases a great proportion would be saved; in others nearly the whole catch might be dead, but it would be impossible to give anything like a proportion.

1079. One of the strongest objections to this Bill by fishermen is that it is useless, because when these fish are landed on the deck of the boat they are all dead, and therefore they might as well sell them as throw them back to rot in the sea, and scientific evidence, I have a letter here, says that is not the case; that a great many of them live, and can live if they are thrown back at once, or as quickly as possible?—That is my opinion too. A fisherman will conceive many a fish dead which will revive in a very short time.

Mr. George Doughty.

1080. You gave some evidence in 1893. Nearly all your evidence was in respect of fish hatcheries. Do you still adhere to the evidence you gave in respect of replenishing the sea by the method of hatcheries?—I am still of opinion that the young fish taken up might be placed into large enclosed natural reservoirs, and there brought up to a marketable size. I still think that this would be in some individual cases a very profitable undertaking, but I do not think that it would have any effect as regards the increase of fish generally.

1081. I suppose you are aware that the Americans have done a great deal by means of hatcheries to replenish their rivers with fish?—I am aware of that, and in some cases, for instance, as regards the American shad, they seem to have been fairly successful, but we hear more about American experiments than about final results.

1082. Is it not a fact that year by year they are increasing the amount they spend for scientific purposes on their fisheries?—They have increased and spread a certain number of fish, for instance, the rainbow trout, and they have also introduced to the west coast the American shad from the east coast, but all these experiments are more or less in their initial stage.

1083. Is there any fish hatchery business in Norway at all? Do the Norwegians do anything in the direction of fish hatchery?—I understand they do a great deal in the way of fish hatching.

Mr. Pretymann.

1084. I think I understand you to say that when these young fry were hatched out from the spawn which was deposited in deep water they immediately made for the shallow shores?—Yes.

Mr. Pretymann—continued.

1085. And you said that as regards the North Sea particularly, that they very largely made for the eastern side of the sea, that is the side of the opposite coast—the coast of Holland. The greater part of them went, you thought, to the shallow waters off the coast of Holland?—I suppose that they come from shallows of the North Sea, and are carried down by the ordinary normal current of the sea.

1086. I rather gathered from what you said that you thought a very large proportion of the fish were found in that particular locality?—They are.

1087. But you would not, I suppose, say that anything like all of them go there?—Certainly not.

1088. You would say that the whole of the shallow coasts on both sides of the North Sea are very largely frequented by these small fish at certain seasons of the year?—Certainly.

1089. That being so, you have also been asked whether you did not believe that the greater destruction was done by deep sea steam trawlers but would it not follow in your opinion that the greater number of these small fish were in these shallow parts of the coast which are generally near the land, a very large part of the destruction would probably be caused by inshore trawlers with small mesh nets?—They will certainly do an immense deal of damage, but a large trawler with its larger trawl can do perhaps ten times as much damage.

1090. Would not a larger trawl have a larger mesh?—That I do not know about.

1091. The point I want to be clear upon is that you think that whatever trawling it may be you have no experience of that, that principally carried on in the shallow inshore waters is where most of the damage to the young fish will be done?—That is so.

1092. That is your opinion?—Yes.

1093. You do not know whether it is in fact trawling, that is only hearsay?—No, quite.

1094. But wherever the shallow trawling is done that is where the mischief will be done?—Yes.

1095. Then you said that these flat fish were very tenacious of life in regard to actual structural injury?—Yes.

1096. Is it in your opinion the fact that the sole is very much tougher and more able to resist an injury than even the other kinds of flat fish?—No, I should say as regards tenacity of life the flounder is the most tenacious.

1097. The flounder is not in the Bill, I think. —Then comes the plaice and then the sole. About turbot and brill I cannot say positively.

1098. I am not speaking about exposure to the air, I am speaking of injury to the body?—Yes. I am thinking about the structure of the skin.

1099. You would say the plaice was tougher than the sole?—Yes.

1100. You were asked a good many questions about the age of maturity of soles. Of course the sole is the most valuable fish we have to deal with in this Bill, is it not?—Yes.

1101. It is the most important of them all?—Yes.

1102. You were asked some questions about the size of maturity of soles, but you would not say

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Mr. Pretymann—continued.

say that a hard and fast line could be laid down that all soles matured at 10 inches or 8 inches or anything of that kind, would you?—No, I guarded myself against that by saying that there is a great deal of variation.

1103. Instead of one particular size would it not be desirable for us to have two sizes, between which you would generally state that soles usually came to sexual maturity. I rather gathered from your evidence that some soles had been found at maturity at 8 inches, but that the usual size was 10 inches?—Yes, that is my evidence.

1104. Should I be correct in gathering from that that you believe that practically all soles come to maturity somewhere between 8 and 10 inches?—You may say between 8 and 11 inches.

1105. That would be rather a better way of doing it than to give a particular length?—No, I give a particular length as regards the smallest soles in order to justify the minimum size of the size limit which has been put down in the Bill.

1106. We do not want you to try and justify the Bill so much. I was trying to get at the actual facts of your figures?—But I think that is the best method of fixing the size limit, by taking the smallest size of maturity.

1107. You were asked about the great destruction which takes place by the natural enemies of the fish?—Yes.

1108. Of course that destruction you may look upon as a constant quantity may you not? It has always existed for ages?—It has always existed.

1109. Can we in your opinion by any human measures materially decrease the destruction of small fry by their natural enemies?—Yes, I think you can, but the effect will be more perceptible within limited areas. If you see that you have within a sandy bay a great number of small flat fish and see every day throughout the year a great number of gulls congregating there and feeding upon them, you can either drive them away or you can actually destroy the gulls.

1110. Do you think gulls can very easily catch flat fish?—Very easily indeed.

1111. How?—A gull walks along the margin of the water just along the ripple of the tide where the young flat fish are partly hidden in the sand. As soon as the gull sees the young flat fish it takes it.

1112. Then he is confined to the margin of the water?—Yes.

1113. The gulls cannot deal with the fish over any large area?—But then you may see on the East Coast tracts of sand two or three or four miles wide, which are gradually uncovered by the water.

Sir Cameron Gull.

1114. And they are sadly voracious birds?—Yes. Then again by systematically killing star-fish on a certain ground you can materially help fish to hold their own.

Mr. Pretymann.

1115. Of course the star-fish are destroyed when they are caught in a net, but you would

Mr. Pretymann—continued.

not seriously advocate that measures should be taken to trawl up star-fish simply for the purpose of killing them; it would never pay?—No; only to kill them when they are accidentally caught.

1116. When I asked you if this could be done I meant practically done, I did not mean you should spend 1*l.* to get 10*s.*?—No.

1117. It is possibly to destroy the enemies of the fish, but do you think that practically it would be worth while to undertake any measures to destroy them?—I know of no measures which could be undertaken.

1118. You may therefore regard, in the main, this natural destruction as a constant quantity?—Yes.

1119. I think you said the main part of that destruction, or a very large percentage, occurred in the very early stages of the fish life?—Yes, there the greatest destruction takes place.

1120. Would you consider that the destruction by fishermen begins at a later stage just when there is some hope of the fish becoming valuable?—That is quite so.

1121. And that therefore the fish that it is proposed to protect by this Bill are the residue from the natural destruction?—Yes.

1122. Having escaped the natural destruction it makes it very desirable that man should not then go in at that later stage and needlessly destroy them?—Yes.

1123. That is your opinion?—That is my opinion.

1124. You think the measures proposed in this Bill will have that effect?—They will have that effect.

Chairman.

1125. The honourable member for one of the divisions of Buckingham, desired to ask one question, which I undertook to ask for him, namely, has there been much progress in scientific knowledge with regard to these matters since 1893. Since the Committee of 1893 has there been any great advance in scientific knowledge with regard to the habits of fish?—What has been done is owing to the Marine Biological Association, and their observations are all published in their journal; and then again in Scotland a great deal has been done at the St. Andrew's Laboratory, and again by the Scotch Fishery Board. In all these biological institutions a considerable amount of work has been done.

1126. There is just one question I will ask you for myself, and that is this, that whatever may be the case with regard to any other mode of increasing the quantity of fish, do I understand you to say that one of the plans that ought to be adopted, irrespective of any other is the prevention of the landing and sale of young fish below the sizes named in this Bill?—That is decidedly my opinion.

Captain Sinclair.

1127. You have told us of the valuable work done by the Marine Biological Association and by the Scotch Fishery Board?—Yes, and by the St. Andrew's Laboratory.

1128. You

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Captain Sinclair—continued.

1128. You are aware that there are areas such as the mouth of the Firth of Forth, and the Moray Firth and others, which are closed to trawlers. What is your opinion as to the value from the point of view of scientific investigation of the closure of those areas?—I think from a scientific point of view of it is most valuable.

Sir THOMAS BRADY, called in; and Examined.

Chairman.

1131. You have been Inspector of the Irish Fisheries for about 30 years, I think?—I have.

1132. You were also one of the Commissioners appointed by Her Majesty in 1883 to enquire into, and report upon trawling in the territorial waters of the United Kingdom?—I was.

1133. Therefore, you are well acquainted with the various modes of fishing?—Yes.

1134. Have you made yourself acquainted with the Provisions of the Sea Fisheries Bill which is now under consideration?—I have.

1135. You are aware, therefore, that the principle of that Bill is to prevent the landing and sale of fish below a certain size?—Yes.

1136. Does that principle in the Bill meet with your approval?—Quite so.

1137. Do you believe that the destruction of fish below the sizes named in this Bill proceeds to any great extent?—Frequently; for many years I have seen it myself, not only in the different markets, but in the streets. On a very late occasion, in the streets of Dublin, I saw a basket of these very small fish, literally so small that you could hardly call them fit for food.

1138. Do you approve of the sizes named in the Bill?—Like Dr. Günther, were I fixing the size myself, I would have put it larger, but I can hardly give the Committee any reason for that, save and except from the practical point of view. I do not speak from the scientific point of view, because I am not a scientist, but from what I have seen for years gone by, I would have placed the limit larger than the Bill has done.

1139. But that being a pious opinion of yours you are still satisfied with the sizes in the Bill, and that if the Bill comes into operation it will be greatly beneficial?—I am quite sure it will do an enormous deal of good. I do not say that it will cure all the evils or anything of that kind, but it will do a great deal of good, and you will save, in my opinion, an enormous quantity of fish.

1140. It has been stated as against the proposals of the Bill that it will not be possible to prevent the fish being caught, but that the effect will be that these fish instead of being landed and sold will be thrown back again dead into the sea, or the great bulk of them. Have you considered whether that objection is a sound one?—I do not think it is from my knowledge, and I have a good deal of experience in actual trawling. My duties as Inspector of Fisheries in Ireland for so many years, led me to it, and the invariable practice of the fishermen on board is to cull their fish, as far as ever they possibly can by throwing into one heap a certain

Mr. Harry Foster.

1129. Do you know of your own knowledge any experiments by any of the other nations bordering on the North Sea in legislation of that kind? Do you know of your own knowledge what laws have been passed by other nations?—No, I do not.

1130. Or of the provisions in them?—No; not.

Chairman—continued.

1141. Is a considerable proportion dead when they are taken?—I should be afraid to say so; I could not conscientiously say so; I do not think can be saved, but all these fish, instead of being thrown into a heap for a moment might be thrown overboard.

1142. But still are you of opinion that large quantities of fish might be thrown back and alive into the sea?—I know it. It is not an opinion I offer; but I know it from my practical experience on board a trawler.

1143. You think, I gather, that the machinery of this Bill might be improved by appointing special officers for carrying it out in Ireland?—I think so. I may say that my reason for it is simply that there is hardly any use in passing a measure of the kind unless it is strictly enforced.

1144. You are aware that the Bill would give powers for the appointment of officers?—I am quite aware that the Board of Trade and the Customs have power, but my object would be to extend it to Ireland more than it is on the face of this; to give greater powers in Ireland to enforce the prohibition of the sale of these small fish.

1145. You are doubtful as to whether the Bill does apply in its fullest sense to Ireland?—I am very doubtful that it does, and I think it ought to be cleared up to make it distinct that it does apply to Ireland.

1146. In point of fact you are so enamoured of the Bill that you do not want to run the chance of losing the benefit of the Bill in Ireland?—If you put it in that way I am enamoured of the Bill. I am very anxious to see the fisheries of Ireland promoted and benefited in every way, and any good measure that you choose to give us from England I must willingly accept.

1147. You really believe that the Bill would be greatly beneficial to the Irish fisheries?—Certainly; most undoubtedly.

Mr. Pretymann.

1148. You say you have some experience of trawling; have you experience both of deep-sea trawling and in-shore trawling?—Yes, practical.

1149. Of both?—Yes, practical.

1150. Is it your experience that the nearer you

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you are in shore and the shallower the water the smaller the fish?—Yes.

1151. Is it a fact that in trawling in shallow waters the net is generally down for a shorter time?—Yes, certainly.

1152. Then, therefore, a larger proportion of those fish are brought up alive?—A larger proportion.

1153. Than is the case in the deep-sea trawling?—That will very much depend upon the ground that you are trawling upon. If you are trawling on dirty ground of course you bring up more dead fish than you will live fish.

1154. Even in shore trawling?—I think so. You must take my evidence in this way, that I never trawled as a scientist; I never made any experiments on trawling for the purpose of advancing science or anything of that kind, but practically to go on board a crawler, as I did on several occasions, never in the North Sea.

1155. I was not asking you from the scientific point of view, but entirely from a practical point of view. Of course you, on a trawler, would, perhaps more than a fisherman, notice particularly what was done with the catch and be careful to see what happened to the small fish and so on?—I did, but I could not draw any proportion.

1156. I did not ask for a proportion; I only wanted to ask you whether, in your opinion, in regard to the small fish trawled in shallow waters there would not be a very large proportion of them which could be thrown back alive?—I expect there would be a large proportion of them thrown back alive.

1157. In the shallow waters in shore?—Yes, I think so.

1158. Do you think that if this Bill were passed the fishermen would avoid the grounds where, at certain seasons of the year, they would catch nothing but very small fish?—I think if you deprive them of their market for the sale of these small fish they will not go there; they will avoid it if they can, but whether they do avoid it or not, at any rate, you have made some step to save a quantity of fish that would otherwise be destroyed if you left the market open to them.

1159. There is an important question I want to ask you. The Bill prohibits the sale of these fish, but there is no provision for prohibiting having them in possession?—It would be very hard to prosecute a man for having them in possession when he has not really gone to fish for these, but his trawl takes them up and he cannot avoid it, and I think the limitation on the Bill is better—to deprive him of the market. If he catches them let him eat them.

1160. Is the only method of disposing of these fish that you know of, by sale or by eating them? Is there any other way of disposing of them that you know of?—Yes. There is a provision in the Bill for forfeiture and the seizing of the fish, but there is no provision made for what is to be done with them when they are seized.

1161. What I mean is this: The Bill prevents the sale of the fish?—Yes.

1162. And you say that it would be empowered to prevent a man who had caught these fish, and

Mr. Pretzman—continued.

perhaps brought them up dead, from eating them. I quite agree in that, but does it not strike you that there is another way in which a very large number of these fish are destroyed. In Ireland are these fish largely strung together and used for bait for lobster pots, crab pots, and that sort of thing?—No.

1163. So that you would not require any further provision for Ireland than for sale?—I am aware of the finest turbot having been cut up for bait for lobster pots in Ireland; I saw it myself.

1164. But you do not know that these little fish are strung together in large numbers for that purpose?—No, I never saw it done. It is not the practice in Ireland.

1165. You do not think there would be a danger of it if they were not allowed to sell them?—I do not think so at all. Even if it were so it is better to save them and make them food for other fish. I would suggest that as to any fish of that kind that are liable for forfeiture and have been seized by the proper officers under the Government, provision should be made for sending them, they cannot be sold, it is a pity to destroy food, to some of the charitable institutions such as the workhouse, or something like that. It is a dreadful thing to destroy food of any description.

Mr. George Doughty.

1166. Are you satisfied that the sizes in the Bill are such as will be satisfactory to Ireland?—I am. I do not think there will be any objection to these sizes in Ireland.

1167. Is there a development of the Irish fisheries going on now?—There is a good deal of development, but there is very much more required.

1168. You think that if this Bill is passed it will have a tendency to make the Irish fisheries in the future more productive?—I think it will help to do it, because you save so much fish.

1169. Therefore of course more profitable to the fishermen?—More profitable eventually.

1170. And a larger quantity of food for the people generally?—Yes, certainly.

Mr. Vaughan Davies.

1171. I understood you to say you wanted this Bill to be an effective Bill?—Certainly.

1172. Do you think that it would add to its effectiveness by allowing the fishermen to retain these small fish in their possession even if they cannot sell them?—It would add to their effectiveness.

1173. Add to the effectiveness of the power of the Bill in carrying out what we wish?—I do not see how it would add to the effectiveness of the Bill by allowing them to keep them in their possession.

1174. I could not quite follow your answer. You said you wished to have it an effective Bill; then in answer to a member of the Committee you said it would be very hard to fine these men for having them in their possession?—Quite so.

1175. And that it would be better to leave them to eat them?—I allude to fishermen. They cannot help it.

1176. Do not you think that it is a likely thing if the fisherman are allowed to have them in their possession,

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Mr. Vaughan Davies—continued.

possession, that if they do not sell them openly they will get rid of them by other means?—But they cannot help having them in their possession.

1177. On the boats I admit, but do not you think they could throw them overboard and therefore not take them on shore?—Yes, you might improve the Bill by preventing them being brought ashore.

1178. By not having them in their possession. You would do it in this way, that the moment they come on board the ship they would then be thrown overboard?—Yes.

1179. Therefore nobody would be so silly as to prosecute a man for having these small fish in his possession for a few minutes, or for a time reasonable to get rid of them?—That would be more effective, certainly.

1180. I know under the Game Laws you can generally tackle a man better by fining a man with game in his possession than by stopping the sale of it?—That is so.

1181. Do not you think it would effect it better?—Yes.

1182. In the Bill there is put: "In his possession for sale." Do not you think it would be far better to put it, "have in his possession at all," as a practical man? You say you are a practical man?—I do not know that it would be better to throw out the whole of the words "have in his possession," because I think it would be better to improve the Bill by legislating that no fisherman shall bring these fish ashore.

1183. That is tantamount to what I say, that they must chuck them overboard at once?—Yes, chuck them overboard at once.

1184. That is what I mean?—I would not like to throw out "have in his possession for sale." I gather from you that you suggest omitting the words "have in his possession for sale."

1185. I should put "have in his possession"?—You would leave the words "have in his possession"?

1186. I would not allow them to have them even in their possession. Then you see they are not likely to bring them on shore?—I gathered from you that you suggested the omission of the words "have in his possession" from the Bill.

1187. No, I would not allow them to be in their possession?—Then you and I are at one.

Sir Cameron Gull.

1188. Do I understand you to mean that you would make it compulsory that all this fish should be thrown overboard at once?—Indeed I would.

1189. Whether they were alive or dead?—Indeed I would. They would form food for the fish below.

1190. I thought you said just now in answer to the President, or to one of the Members of the Committee, that you thought it a great mistake to waste any fish?—Certainly, as food.

1191. But some of these fish are food?—They are. You want to make the Bill more effective.

1192. No, I do not. I want to know your opinion?—When I say you I mean the Legislature want to make the Bill, at any rate if it is a good Bill, more effective; and I was asked on that head whether it would not be better to

Sir Cameron Gull—continued.

prevent the possession of these fish altogether just in the very same way that I would prevent the possession of salmon or trout, or any of valuable fish or game during the close season and that makes the law more effective in preventing their capture only.

1193. I understand the position of affairs: this: you have to get these fish up on deck. Quite so.

1194. A considerable proportion of them are dead?—Yes.

1195. The Bill, as it stands, enables these fish to be brought ashore; the men save the big ones, but it enables these fish under this size—eight inches to be brought ashore and used as food?—If they are allowed to be brought ashore.

1196. Yes?—Certainly.

1197. But you say you would not allow them to be brought ashore?—Certainly, in order to make the Bill more effective.

1198. Therefore you would prefer that these fish should be wasted?—Well, it must be wasted. I do not know that it is wasted actually, because it feeds the other fish. If you chuck them overboard they will be devoured by other fish.

1199. On that point you are aware that there was a considerable amount of evidence given to us in 1893 that throwing very large quantities of this fish overboard damaged the fishing grounds?—I am not aware of the evidence. I take it for granted from you. I should like to know from whom the evidence came before I could offer an opinion about it.

1200. Have you figures to show that there is any decrease of these flat fish off the Irish Coast?—I have no figures whatever.

1201. Apart from figures, is it your opinion that they have decreased or not?—Well, really I could not say. I have been out of the public service now for nearly 10 years, and except in reading I do not know. I take an interest in it still.

1202. Do you know of any resolutions that have been passed by any public body or by any fishermen in favour of this Bill?—I am not aware of it. I was not aware of this Bill being in existence until a few days ago.

1203. You said just now that even if the fishermen did not avoid these grounds where the small fish are, and still went there, still, in your opinion, the Bill would do good?—Yes.

1204. In what way?—By saving these fish from sale. I dealt with the Bill as it stands: I do not think the fishermen will go for the purpose alone of catching these small fish in any place; if they cannot get a market for them if you deprive them of the market, and they can only catch these small fish in certain grounds they will not go there.

1205. That is what you say—that they will not go there; but the other part of your answer was, that even if they do not avoid these grounds, if they go there, you still say the Bill would do good?—Certainly, because it would prevent them selling these small fish, and that would compel them to chuck them overboard when they are culling them. If they do not get a market, they will have to dispose of the fish in some way or other, and the fishermen are not so blind

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blind to their own interests that they would not, in culling these fish, throw them overboard instead of throwing them into a heap for the market; and then you would save a large quantity. There are enemies of the fish in every direction, nature, man, and everything, and you are saving a certain portion at any rate.

1206. Do you know where these small fish that are landed in such quantities in Ireland come from?—I do not. They come from the trawlers.

1207. But from what place?—I could not tell you.

1208. You do not know whether off the Irish Coast there are any of these nurseries that we were told existed in the North Sea?—I do not. Unfortunately we have not had very much of scientific observation until lately with regard to Ireland.

1209. Are you aware of the foreign laws on the question of sale of fish?—I am not.

Mr. William Redmond.

1210. Do you know if this Bill meets with any favour from the people concerned in Ireland—the fishermen—or whether they have taken any interest in it?—I do not think the people of Ireland know very much that the Bill is in progress. I did not know it myself.

1211. Do you suppose from your knowledge of the fisheries in Ireland that it will have any beneficial effect on Irish fisheries?—I have no doubt about it. I was talking to a man who has a very large interest very lately, in fact since I came to town, and he almost pooh-poohed the idea of an enquiry. He said: "What enquiry can there be about such a thing? They ought to be prohibited. I should not say any more about it." That was his opinion.

1212. Do you think that that would be the opinion of the fishermen generally in Ireland?—The opinion of those best interested in the fisheries and who have capital engaged in them. It is very hard to take the opinion of poor fishermen who are living from hand to mouth. Every little fish that they take they try to make money of. I daresay you are aware that in nearly all parts of Ireland the fishermen are so very poor that no matter what they bring up they try to sell; and even with these long shore nets that I have seen along the coast, and which I have, as one of the inspectors of fisheries, prohibited by bye-laws in several places, after the use of one of these nets you see a large quantity of very small fish, but so small that I have known them to be sold absolutely for food for pigs, so small are they. Poverty makes them do it. The opinion of a poor man like that ought not to have very much weight, poverty not being wedded to sense in that case.

1213. Do you think steam trawlers are principally responsible for the destruction of a great deal of immature fish?—Well, I never was on board a steam trawler myself. Steam trawling has greatly come into vogue since I left the service. I have no doubt the sailing trawler is doomed to extinction. I am aware of a place on the East Coast where we had as fine a class of fishermen as there could be afloat on sailing trawlers—splendid seamen. They are nearly all

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Mr. William Redmond—continued.

gone, or they are becoming rapidly extinct from the effects of the steam trawling.

1214. You think it would be a good thing if the Government took steps to control steam trawling, and protect the fisheries?—I do.

1215. As a matter of fact you think a great deal that could and ought to be done to protect and develop the fisheries in Ireland is not dealt with in this Bill?—There is an enormous deal that this Bill does not contemplate at all; and I think the Congested Districts Board of Ireland have shown what might be done of late years from the development they have caused on the West Coast of Ireland in the congested districts.

1216. I take it your view is, that though this Bill may do some good as far as it goes, you consider a great deal more ought to be done?—So far as it goes most undoubtedly; but I would wish to impress upon the Committee certainly that it should be made very distinct that this Bill is applicable to Ireland.

1217. You heard Dr. Günther give the opinion that these fish, generally speaking, run to larger sizes in Irish fisheries?—I heard that.

1218. Have you any knowledge to that effect?—That is public reputation always. I have always heard the same. I have not any practical knowledge of that myself.

1219. No doubt it is correct?—I have no doubt anything Dr. Günther would say is correct.

1220. He said he had no particular knowledge himself of Irish fisheries, but he said, generally, that these fish did grow to a larger size in Irish fisheries. In view of that statement do you think there ought to be any alteration of the size of these fish with regard to Ireland?—I would really not alter it. I would leave these fish. I think it is a fair size. I would not put too great a restriction on it.

1221. Do you agree with him that the limit of turbot ought to be 13 inches instead of 10?—I would rather see it myself; and soles also, and I would like to see the word "plaice" brought in, too.

Chairman.

1222. "Plaice" is in?—Yes, I had overlooked it.

Mr. William Redmond.

1223. Soles, plaice, and turbot. You think then on the whole this Bill would do some good, and would be advantageous for the fisheries in Ireland?—It will do some good; and I hope it will be only the forerunner of something better.

1224. A great deal more is wanted?—We want a great deal more. There are two points I should like to be cleared up particularly. There is a reference to the Sea Fisheries Acts in the last Clause of the Bill that might lead at any rate to a great deal of law argument. That I would like to see avoided, if possible, and I should like it made perfectly plain that the Bill is applicable to Ireland. I would also like to say that the fisheries of Ireland are now placed under new Acts altogether. By the last Agricultural Department Bill they are all transferred to that Department, and I should like to see that Department strengthened and get more powers and be enabled to appoint officers to enforce this

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Bill, such as the Crab and Lobster Act enabled the Inspectors of Fisheries specially to appoint. That worked very well, and we have no such thing in Ireland now as these undersized crabs and lobsters to be seen since that Act was passed.

Captain Sinclair.

1225. This Bill will withdraw from the market immature fish?—The small fish. I do not deal with the word "immature" at all, that is a scientific term.

1226. Have you any opinion as to how that will affect the price of fish in the market?—I do not think that it would affect the price in the market at all, because the fish that I allude to are not used except by the very poorest classes of people.

1227. And are generally sold at a ridiculous price, a price which does not represent any economic value?—Not at all, what I saw in Dublin the other day represented hardly any value at all. It would be hardly considered.

1228. May I ask about the administration of the Bill. One of the members of the Committee asked you to give your opinion as to the desirability of preventing the landing of these fish. By the Bill all that is prevented is the sale of the fish?—Or having in possession for sale.

1229. Fish may be given away and they may be exchanged within the limits of the Bill. Would it not be rather difficult to administer the fourth clause of this Bill. Would you kindly give your opinion as a practical man? Is there any similar instance of the authority being given to open packages under these circumstances?—Yes, there is the authority in the Fishery Laws at present in force in Ireland for opening packages. The constabulary and water bailiffs and customs officers have powers to open packages.

1230. Are the cases analogous?—Yes, for instance, the Crab and Lobster Fisheries Act, I think, gives the power, and there are a number of others, the Pollen Act, for instance.

1231. I am only thinking of the practical working of this Bill and endeavouring to imagine the practical working of this Bill with packages of fish going here, there, and everywhere, and the difficulties that the officers who would have to administer it would have to meet?—I think eventually there will be very little difficulty at all in fact, and I think the Bill will eventually save everything if it comes to law. It may have this effect. It may be difficult at first to prevent the sale of these small fish, but a few prosecutions will soon show the people that they cannot do it, and there will be no more about it, I think. Practically that will be the effect of it.

1232. You do not think we can improve this Sub-Clause 4 of Clause 1—that is what I want to get at—from the point of view of practical and thorough administration of the clause?—Well, the only way that I thought of improving that clause was by enabling the officer who receives this fish not to wait until it became unfit for human food, and then destroy it; but I would rather he sent it to some place where it would be useful for human food—charitable institutions.

1233. To prevent waste?—To prevent waste,

Captain Sinclair—continued.

that is all, but, of course, when a Member asks me whether it would be better to improve the Bill and make it more efficient, by preventing having in possession, then I say, certainly. There is in that clause, if you will allow me to call your attention to it, Sub-Clause 3, which I think, is very hard upon a fish factor or auctioneer. That requires him to get a certificate signed by the person for whom he sells the fish that the receptacle did not contain any fish the sale of which is prevented by this section. I think it will inflict a hardship upon the auctioneer or wholesale dealer to whom boxes or baskets of fish are sent, if he is prevented for having sold fish in a box that are under the size mentioned in this Bill, unless he gets a certificate from the person he sells it for, because he could not expect to get a certificate. A fisherman does all in his power to get his fish to market as quickly as he can, and he would never grant a certificate. He would never think of it.

Chairman.

1234. That sub-section has been put in for the protection of the innocent seller of the fish. Certainly that is quite right, and I do not object to that, but you throw it then upon the person who originally sold it in the open market.

1235. Upon whom would you throw it?—If you will allow me, my idea in reading the Bill was that instead of putting in these certificates the clause might be amended by striking out the words commencing with "and with a certificate" in the 14th line down to the word "section" inclusive in the 17th line. That is the part of what I recommend. Then at the end of the section I would say this: "Provided that he delivers up to any person empowered to enforce this Act, if so required, the names and addresses of the persons who had consigned such fish to him for sale." Then you come at the very end of what you wanted, to the person who sent it to the market because a fish factor cannot open up the boxes, when he gets perhaps 100 boxes in the market. It would be impossible for him to do it.

1236. You want to make the original seller responsible?—I do.

1237. You do not want it to be incumbent upon the innocent seller to obtain a certificate?—Certainly. I want to bring it home to the man who is actually guilty.

Captain Sinclair.

1238. May I ask then whether in line 25 you would propose to omit that last sub-clause: "and in the event of any such fish being or becoming unfit for human food may destroy it"?—No, I would not omit it, because if it is unfit for food he ought to destroy it.

1239. But you would add something to it. How may I put it in this way: you regret that fish that is fit for human food should be wasted?—I think the power ought to be given to the person who is authorised to seize such fish, who would be an officer of the Government, to not dispose for sale, but to hand it over to some charitable institution if you do not prevent the having it in possession.

1240. Then

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Captain Sinclair—continued.

1240. There are no statistics from Ireland?—There are statistics of the quantity of fish, but no statistics that will aid the Committee on this question.

1241. By whom are they collected in Ireland?—By the inspectors?—They are collected under the inspectors by collectors round the coast, and by the coastguard and other people.

1242. Is there in Ireland any department of scientific investigation?—None whatever.

1243. It is very desirable that there should be?—Very desirable. Very important results are issuing from the Scotch Commission which I have followed very closely and also from the Marine Laboratory at Plymouth, and other places, but we have none except the Royal Dublin Society carrying out investigations.

General Goldsworthy.

1244. I have only one question and that is this: whether you have any knowledge yourself as to whether the size of the fish that is caught now has decreased since the year 1893?—I could not tell.

1245. You have no knowledge?—I have no knowledge.

Sir Brampton Gurdon.

1246. With reference to the amendment you suggested in Clause 1, Sub-section 3, I understand you would not alter what is proposed to be done only that it would only come into effect when the boxes were inspected in fact?—Yes.

1247. It would come to the same thing in the end?—I am suggesting that you are putting in a clause which would practically have no effect—which you cannot enforce.

1248. It would bring it back to the same purpose?—It is not a practical one.

Mr. Harry Foster.

1249. Have you any experience of the North Sea fisheries?—None.

1250. None whatever?—None, I never fished in the North Sea.

1251. With regard to these small fish in Ireland, did I understand you correctly to say that in your opinion excluding from the market all of these fish under the limit mentioned in the Bill would not affect the price of fish in Ireland?—I do not think so.

1252. Because you say there is practically no market for the fish except amongst the very poor?—The very poor.

1253. Therefore they fetch a very small price?—A very small price.

1254. It would affect the supply then to the poor to that extent, would it not; it would cut off that source of supply?—Certainly it would.

1255. If these fish which at present are only sold to the poor at a very cheap price cannot be sold, if this Act passes, one source of food supply for the poor of Ireland would be cut off?—Certainly, it would affect the poor in towns, not the poor class of people throughout Ireland.

1256. Then, at the present moment, there is but a very poor market in Ireland for this fish. It fetches very little?—Yes, a very poor market. I think, not only in Ireland, but everywhere else for that class of fish.

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Mr. Harry Foster—continued.

1257. Then there is not very much inducement to the fishermen in Ireland to go and catch these little fish?—No, none whatever. I have a very strong feeling that if you stop the market there would be no inducement for the fishermen to go. I do not like to express any doubt as to what a fisherman says or anything of that kind with correctness, but so far as my practical knowledge goes I do not see any grounds for stating that fish of only 6 inches and fish of only 8 inches as we have heard, frequent certain grounds, and if you prevent them taking them you will not get anything else. They go there, in my opinion, simply because there is a quantity of those small fish on that ground and for which they have a market, but if they were let alone and there was not a market, those fish would become very valuable fish in a short time.

1258. An unmarketable fish if it is allowed to grow into a marketable size becomes more valuable?—Certainly killing the boys and girls will not improve the men and women.

1259. The point I want to be clear upon is this. Taking the limit of this Bill as making a full sized fish, the price of these undersized fish in Ireland at the present moment is very small?—Very small.

1260. Therefore the Irish fisherman has very little inducement, unless he can get something else, to catch merely these small fish?—Yes, but I would prevent him having that little inducement.

1261. That is another point. At the present moment there is very little inducement to him so far as profit is concerned in merely catching these little fish?—Yes there is.

1262. Because there is such a poor market for them?—Yes.

1263. Do you know as a fact of any fishermen going to sea and fishing merely for the purpose of catching these small fish?—I do not.

1264. It would not pay them?—It would not.

1265. Do you know of any particular part of the Irish fisheries where these small fish are caught?—Not any particular part, but I know that they are caught inshore. That is from my own knowledge, fishing with a small boat inshore, trawling and fishing out in the deep sea with a big trawler. You will find you get more of the small fish inside.

1266. I suppose it is the case, is it not, that every time the trawl is let down there will be some small fish with some big ones?—Well, I would not say every time. If you are on clean ground you will bring up a clean trawl, and you would not have any of these very small fish destroyed at all, and at the same time you might bring up very few.

1267. I am not talking about destruction. I did not say whether they would be alive or dead when they came up. My question was that every time the trawl is let down it will bring up a certain number of small fish?—If inshore.

1268. Will it not even in the deep?—No; I have trawled in the deep and brought up no small ones. I am speaking from my own practical knowledge, I am giving no theory whatever.

1269. What I am trying to get at is this: Is there any spot you can indicate within the range

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Mr. Harry Foster—continued.

range of the Irish fisheries where these small fish abound apart from any other?—No, I could not.

1270. None whatever?—None whatever.

1271. If you cannot indicate any spot where these small fish abound, how do you suppose that any of the Irish fishermen will abstain from any particular ground?—I do not think they will abstain from any particular ground. The Irish fishermen will go on fishing as he has been in the habit of doing, and getting all the fish he possibly can to his own net; I am quite sure of that; but I am quite sure also that instead of bringing these very small fish that he culls now and pitches on one side of his dock he will throw them overboard, and that will save them. I think that is what the effect will be.

1272. Then in your opinion the effect of this Bill, so far as Ireland is concerned, is not that it will alter the methods of catching at all?—No.

1273. Or the places to which the fishermen resort?—No.

1274. It will only be effective in so far as it compels the fishermen to throw overboard so many of the undersized fish that may be alive?—That is quite so.

1275. With regard to that you do not express any opinion as to the percentage?—No, I could not.

1276. You say it depends on the ground upon which they are fishing, and I suppose you would also agree, would you not, that it depends upon the length of time that the trawl is down?—No doubt, and the ground.

1277. Of course the ground they fish upon and therefore the nature of the contents of the trawl, and also the length of the haul?—That is quite so.

1278. You said that a Bill of this kind was no good in your opinion unless it was strictly enforced?—That is my opinion. I am very strong with regard to that.

1279. Do you see any difficulty in enforcing this Bill?—I speak now from an Irish view alone, and if you have not special officers appointed by the Government or by a Government Department, say the head of the Fisheries in Ireland, to remedy the evil that I saw the other day in Dublin, the trade in and the sale of these fish may go on.

1280. Do you mean by that the provision of the Bill as to Officers of Customs?—An Officer of Customs is not near the market in Dublin.

1281. "Or any officer appointed by the Board of Trade in that behalf," the Bill goes on to say, "any Officer of Customs or any officer appointed by the Board of Trade in that behalf"?—Certainly, if the Board of Trade undertake to appoint those persons to enforce the Act that is all I want, but instead of asking the Board of Trade, who have nothing to do with the fisheries in Ireland, I would rather put it on the head of the Fishery Department there to enforce the law.

1282. In other words, you would suggest that this provision of the Bill is not satisfactory so far as Ireland is concerned?—I would make it stronger for this reason, that you have two Departments of Fisheries for the United Kingdom and we might say three, at any rate, you have two. The Board of Trade have nothing to

Mr. Harry Foster—continued.

do with the fisheries in Ireland. They specially managed under special legislation, fishery department, and I think it would be better not to throw this onus upon the Board of Trade, but to throw the onus on the heads of the Fishery Department there, because I know it in doing so with regard to the Crab and Lobster Act it had a very good effect and they enforced the law.

1283. You said very justly that the fishermen wants to get his fish to market as quickly as he can?—Certainly.

1284. And you gave that as a reason why you thought the fishermen would never think of signing such a guarantee as that which is provided for in Clause 3?—Certainly, that is my opinion.

1285. You point out as a criticism of the Sub-Section 3 that the fish salesman cannot possibly know the contents of these boxes?—He could not.

1286. He is selling them sometimes by the hundred, is he not?—Quite so.

1287. They come straight into the market?—He could not do it. He would never get through the day's work. You would see that if you go down to Billingsgate as I have seen them.

1288. Do they come in Ireland by train straight to the market, and are they offered for sale almost immediately?—They come from all parts of Ireland by train.

1289. They are offered by auction immediately they arrive?—Immediately.

1290. I suppose if they had to open and handle and examine the contents, they would lose the market?—They would lose the market.

1291. And damage the fish also?—No doubt.

1292. Every time the fish is handled?—It is imposing an impossibility—without improvement to the fish.

1293. In other words, it is impossible for the man in the market to examine the contents without losing the market?—Yes.

1294. The section could be very well amended?—Yes.

1295. Does not the same difficulty occur with regard to the consignor? Is it the practice at all in Ireland for these fish to be packed sometimes at sea?—Yes, but not very often. As the boats come in they are packed.

1296. They are occasionally?—Not as they are in the North Sea.

1297. You are aware, in the North Sea they are very largely packed at sea?—I am quite aware of that.

1298. And brought straight to market?—Yes.

1299. Are you aware that when they are landed in what I will call the port of arrival, as distinguished from the actual market for sale, they are frequently bought on landing by the fish purchaser at various ports and they consigned by him to the market for sale?—I have seen that myself in Brixham.

1300. Therefore in that case you have the fish again passing through two or three hands?—Yes.

1301. And neither would the consignor know more about it than the auctioneer?—The consignor at the port when he brings them in except

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except when you have them boxed on board at sea, generally would see what fish he is getting.

1302. I am putting the other way to you, where they are already packed at sea, and are landed in the boxes. The purchaser on shore is in the same position as the auctioneer, is he not?—I am not aware of that. I do not know practically myself. I cannot say whether the man would purchase fish from the fishermen coming in from the sea in that way without seeing the contents of his box; but taking the other case, a fish factor selling a box of coarse fish, or a packet of coarse fish, whatever it may be, and having no guarantee with them, it is very hard to make him liable, because with a large business he never could get through it. I would make him liable in the way I propose; if he would not give up the name of the consignor, the person who was getting the money for that fish, then I would prosecute him.

Mr. Harry Foster—continued.

1303. Your point is that the only person who ought to be liable under this Bill if it comes into law is the person who originally packs the boxes?—Yes, the person who is going to get the money for the fish; that is really what it would be.

1304. It is passing through four or five hands?—Not with us; it would not be so in Ireland.

1305. But you are suggesting the only person who should be liable should be the person who packs the box?—Certainly, that is the fisherman who packs it on board.

1306. I understood you to say you could not give us any information with regard to the supply of fish in Ireland—the quantity of fish?—Well, the Board of Trade have always statistics of the quantities of fish regularly from the Irish Fishery Department sent to them once a month and they are published regularly.

ROBERT KENNER, called in; and Examined.

Chairman.

1307. WHERE do you come from?—Brixham.

1308. Are you a fisherman?—Yes.

1309. Do you own your own boat?—Yes.

1310. What is its size?—25 tons.

1311. Have you seen this Bill?—Yes.

1312. Do you know its contents?—It is concerning the size of fish, that is, plaice, soles, turbot, and brill.

1313. And prohibits the selling?—Prohibits the selling of that kind of fish.

1314. Under certain sizes?—Under certain sizes.

1315. Do you know the sizes?—8 inches for sole and plaice, and 10 inches for turbot and brill.

1316. Do you consider that this would be injurious to your business?—Yes, in some cases, because we catch three various kinds of sole. We catch what you call a thick-back, that is a species of a sole which does not grow bigger than 6 inches, and we catch a sand sole, and we find that does not grow above 12 inches. That is the largest we catch of the sand sole. Then we catch the ordinary sole. That grows a lot larger. So according to this measure of 8 inches for a sole we should be barred from selling those two kinds, and that would be detrimental to our industry.

1317. That is to say, you would be barred from selling a 6-inch sole?—A 6-inch thick back does not grow larger than a 6-inch sole. It is a species of a sole, and we should be barred from selling that kind of fish. We call it a thick back. In full explanation. The thick back sole is mature with roc in it at 6 inches. The sand sole is not mature at 6 inches, but 8 to 12 inches.

1318. What is the second kind?—A sand sole.

1319. What is the size to which it grows?—That grows about 12 inches—the largest.

1320. You would be able so far as the second kind is concerned to sell all those sand soles above 8 inches?—Yes.

1321. Are the majority of them that you catch above that?—No, the majority are under 8 inches of these sand soles.

Chairman—continued.

1322. Would it not be a good thing to let them remain in the water for another few months in order to get a larger size?—We could not help catching them. We catch them with the others.

1323. How long is your trawl down?—The times vary, because we are propelled by the wind. We have to drag our trawl by the wind.

1324. But, as a rule, how long is your trawl down?—From four to six hours.

1325. Would many of these small fish be dead when you brought up your trawl?—That is in the trawl after it is up?

1326. Yes?—I should think 90 per cent. of the fish that is in our trawl when we pull it up is dead on account of the rubbish that is in the trawl. We catch a terrible lot of mud and sand and dead oyster shells and whelk shells, and shells of all kinds in the grounds we work; therefore 90 per cent., I should say, would be dead when we pull it up.

1327. Would it be really very injurious to your business if you were to throw them over even if they were dead without having regard to the fact that the prohibition of the sale might lead to more care being taken, so that the fish would remain longer in the water to get to a larger size. Would not it be beneficial if the operation of this Bill were to lead to these fish remaining longer in the water and coming to maturity. Would not it be ultimately beneficial to the fishing generally?—I do not think so in our district.

1328. How many boats have you at Brixham?—About 200 big and small.

1329. Are they all sailing trawlers?—All sailing trawlers.

1330. What do you catch principally at Brixham?—We catch turbot, brill, soles, plaice, whiting, cod; various kinds of fish, and gurnet; a mixed lot of fish we catch.

1331. Is there anything else you would like to say to the Committee?—I think it would be detrimental to our industry if we were barred from selling these small fish. We sell most of those

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[Continued.]

Chairman—continued.

those under the size locally, and it would be bad for those that buy them around our town.

1332. Although it might be to some extent injurious to you would not you be prepared to say that, so far as the supply of fish generally in the country is concerned, it would be desirable if possible to prevent the catching of undersized fish, immature fish?—I do not see how we can, not with the gear we work.

1333. If it were possible would it not be desirable?—I could not answer at all.

1334. It stands to reason, does it not, that if small fish were allowed to grow into large fish there would be a larger supply of fish food?—Of course.

Mr. Harry Foster.

1335. I understand that when you bring up your trawl, as a rule 90 per cent. of the fish in that trawl are dead?—Yes.

1336. I suppose your objection to this Bill is that by passing this Bill you would not be able to restore these fish to life?—Of course not.

1337. They would still be dead?—They would still be dead.

1338. And instead of taking them ashore and getting some money for them, you would be compelled, under this Bill, to throw them back into the sea?—Yes.

1339. Would it prevent your still going on fishing there?—Not at all.

1340. Would you still go over the same ground?—Just the same ground.

1341. Still in the hope of getting something that you could sell?—Yes.

1342. But if this Bill were law the result would be to deprive you of turning into money a portion of your catch?—Yes.

1343. Without doing any good to the grounds over which you are fishing?—It would not do any good to the grounds at all.

1344. Do you see any sort of means of preventing undersized fish being caught in a trawl except by keeping the men off the ground altogether?—I cannot see that there is.

1345. Can you prevent their being destroyed?—No, not at all.

1346. Except by preventing them being fished for?—Except you have that ground closed for fishing.

1347. But, short of that, will men still go on, do you think, fishing where they can get a marketable fish?—Of course.

1348. Do you know of any instance of men fishing to-day for the sake of catching these small fish?—Not our way. It would not pay us to do it.

1349. But having let down your net and having got the fish in it, you hope to get all you can for them?—Yes.

Sir Brampton Gurdon.

1350. You mentioned three different kinds of sole, the thick back, the sand sole, and the ordinary sole?—Yes.

1351. Can you describe the difference in the appearance of those; can you teach me to know one from the other?—The thick back is similar to the sand sole. It is a short thick sole.

Sir Brampton Gurdon—continued.

1352. Is it the same colour as the ordinary sole?—No, it is the same colour as the sand sole.

1353. What is the difference between the colour of that?—The ordinary sole is dark the sand sole is light.

1354. The ordinary sole is dark?—The ordinary sole is dark, and the sand sole is light brown.

1355. You can tell them at once?—Yes.

1356. These two small soles never grow to the size of the large sole?—The sand sole grows as large as 12 inches.

1357. How do you tell a sand sole from the other small sole?—We know the difference catching them.

1358. There is no real difference?—No.

1359. How do you know it is a different fish?—We could not say it is a different fish. We call them a thick back but we never find them bigger than 6 inches.

1360. You say they never get bigger than 6 inches?—Not that kind.

1361. How do you know it is a different kind if you do not see any difference. Is there a difference in its outward appearance?—Not the sand sole and the other.

1362. They are the same shape?—Yes.

1363. And the same colour?—Yes.

Captain Sinclair.

1364. When you say 90 per cent. of the fish are dead when they are brought on board, can you say that 90 per cent. of the flat fish are dead?—That is the whole of what is in the trawl.

1365. You cannot draw any distinction between flat fish and round fish from your experience?—No, not that is dead; 90 per cent. of what is in the trawl when we bring it up is dead on account of the rough stuff that is in the trawl.

1366. Have you any opinion as to whether flat fish or round fish die most quickly. I should say round fish.

Mr. William Redmond.

1367. Your opinion, I take it, is this, that 90 per cent. of the fish when you take up your trawl are dead?—Yes.

1368. And that if this Bill passed the effect would be that you would be obliged to throw overboard or destroy all the dead fish under the limits of size of this Bill?—Yes.

1369. Do you know of the view you have given here with regard to the undesirability of placing this limit, is shared by large numbers of practical fishermen in your district?—No, I do not.

1370. You say there are 200 boats there. Have you heard any of the other fishermen express any opinion as to the merits of this Bill at all?—They say the same as I do.

1371. That is what I mean. Your opinion against the fixing of the limit is practically the opinion of Brixham?—Of the Brixham fishermen.

1372. Do you think, as a practical fisherman, that the same view would be taken by fishermen generally everywhere?—I should say so.

1373. At any rate that is the opinion of your district altogether?—Yes.

1374. That

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[Continued.]

Mr. William Redmond—continued.

1374. That if this Bill passed the result will be the waste of a great number of fish that otherwise would have been sold?—Yes.

1375. No matter what their size is?—Yes.

Sir Cameron Gull.

1376. Have you had any meetings at Brixham to consider the provisions of this Bill?—Do you mean recently?

1377. Yes?—Yes, we had a meeting not very long since. Captain Philpotts was there at the time, and we expressed our views to him concerning this Bill the same as I have here at this meeting.

1378. Was the opinion of the meeting unanimous?—Yes.

1379. Therefore, I take it, you come here to give evidence to represent the opinion of the Brixham people?—Yes.

1380. And not only your own individual opinion?—Not only my own individual opinion, but the whole of the district.

1381. Do you notice any decrease of these flat fish in your fishing grounds?—There has been a great decrease this last twelve months.

1382. Have you any opinion as to the cause of that decrease?—My own opinion is that it is on account of these bays being closed in our district—not being fished in.

Chairman.

1383. Closed by whom?—By the Fishery Board.

1384. The Fisheries Committee?—Yes.

Sir Cameron Gull.

1385. You are aware that the Devon Sea Fisheries Committee has petitioned in favour of the Bill?—I am not aware of that.

1386. Have you any representative from Brixham on the Devon Sea Fisheries Committee?—We have three.

1387. Do you know what their views are as regards this?—I think they are opposed to this Bill, but I am not certain of it.

1388. Are they practical fishermen?—They do not go to sea at the present time, but they all have been practical fishermen.

1389. Do you get any great quantity of these small fish?—We catch about 30 per cent. of small fish.

1390. Do you land the whole of them or any small ones do you throw overboard?—We throw over about half of what we catch of the small.

1391. That is about 15 per cent. you throw overboard, and fifteen per cent. you keep?—Yes.

1392. Do you sell them locally?—We sell those locally.

1393. None of those are sent up to London?—The big buyers will not buy them.

1394. Therefore if this Bill passes you will be prohibited from selling these fish among your own people in Brixham?—Yes.

Chairman.

1395. You say 15 per cent., but when you spoke about the catch of small fish you included all kinds of fish?—Yes.

1396. In the 30 per cent. you include round fish as well as flat fish?—Fifteen per cent. of those are the flat fish.

Chairman—continued.

1397. Let us understand. You said the quantity of small fish you caught was 30 per cent. of the whole?—That is right.

1398. Do you mean 30 per cent. of the whole catch of fish?—Thirty per cent. of the catch are small fish, that is, the flat fish and whiting mostly.

1399. You mean the 30 per cent. includes all kinds of fish, round fish as well as flat fish?—Yes, that is it.

1400. Out of the 30 per cent. you throw 15 per cent. back?—We throw 15 per cent. back, unsaleable.

1401. That leaves 15 per cent. for sale, and that 15 per cent. is 15 per cent. of the whole catch of fish?—Yes.

Sir Cameron Gull.

1402. They are sold among the poor people there?—Sold among the poor people.

Chairman.

1403. You are aware, are you not, that the Bill will not interfere with the sale of small round fish?—Yes, it only concerns the flat fish.

1404. Can you tell us what proportion of that 15 per cent. is flat fish, and what is round?—I should think about half and half.

1405. That is about 7 per cent. of flat fish that you would be prevented taking to market by this Bill?—Yes.

Sir Cameron Gull.

1406. Nearly all of them being dead?—Yes.

1407. Therefore, instead of getting what you could for the 7 per cent. you would be compelled either to eat it yourself or to throw it overboard?—Yes.

1408. The President asked you whether you thought preventing the catching of such small fish was desirable. You are aware that the Bill does not propose to do anything of the kind?—I am aware of that.

1409. When you get your trawl on deck are all the fish handled. Do you handle each single fish?—We have to separate them out.

1410. You do separate them out; you do not shovel them up. Of course you are a small boat?—We have to separate them.

1411. I understand you do at the present moment throw overboard all the very small fish?—Yes, we throw them overboard as soon as we empty our trawl.

Mr. Vaughan Davies.

1412. Is not six hours a very long time to have your trawl down?—Just now I mentioned from four to six hours.

1413. Is not that a very long time?—Sometimes we have it down as long as 10 hours if we have a breeze.

1414. You are only a 25 tonner?—A 25 tonner.

1415. You are particularly anxious to catch dead fish then?—Not at all.

1416. I should not have thought if you wanted live fish you would have had your trawl down for six hours even, much less ten?—It all depends on the wind with us. If we have very little wind we have to pull it up again perhaps in two hours or perhaps in one. If we have a strong wind we keep it down as long as we can until we think we have sufficient fish in it.

1417. Do

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[Continued]

Mr. Vaughan Davies—continued.

1417. Do you wish the Committee to think that there are three different kinds of sole: the thick back, the sand sole, and the common sole?—Yes.

1418. There are three distinct kinds?—I think so myself in my own experience.

1419. You do not think the colour of them, or the peculiarity of them, may be from the ground they are on?—We catch these kinds of sand soles in rough ground and we also catch the dark sole in the rough ground as well, but we do not catch the sand sole in the smooth ground.

1420. You think in different parts of this coast there are different kinds of soles?—I think so by my experience.

1421. You think there are different kinds of soles actually on the coast?—Yes.

1422. You say you have two distinct kinds, one a thick back and the other a sand sole?—Three kinds.

1423. And the common sole?—Yes.

1424. Did you hear the gentleman giving scientific evidence and saying there was only one kind of sole?—For my own part I can only say what I see—what we catch.

Mr. George Doughty.

1425. How many hands do you carry?—Three.

1426. Do you always fish about the same place there?—We fish from Portland Bill as far as the Eddystone.

1427. What depth of water have you?—It varies from 8 fathoms to 40 fathoms.

1428. You say these soles never get any bigger?—These thick backs.

1429. Do not you think if you were to go into deeper water you might find bigger soles?—No, because our larger vessels go in deeper water and they bring the same kind of fish. They bring these small kind of soles just the same.

Mr. Pretymann.

1430. You speak of so many fish coming up dead. You have, I suppose, pockets to your nets as well as a cod end?—Yes.

1431. Do you find the soles mostly in the cod end or in the pockets?—Well, it varies. Sometimes we take more out of the cod end than we do out of the pockets.

1432. I am speaking of soles?—Yes, soles especially.

1433. You find a larger number of soles in the pockets than you do other fish?—Sometimes.

1434. Do not you generally look for the soles in the pockets more than any other fish?—As a rule.

1435. A fish in the pocket of the net is not so likely to be destroyed as in the cod end?—They jam themselves up tight to the net and they die.

1436. They do if they get the net in their gills, but a fish in the pocket is not so likely to

Mr. Pretymann—continued.

be dead as one from the cod end where all the culch is?—They jam themselves up tight on account of the pocket being laced. The parts of the net are laced together. They jam themselves up tight and they cannot move.

1437. But no culch can get in on them?—No dirt can get in on them.

1438. They are not exposed to the pressure of dirt?—They are exposed to the pressure of one another jamming so tight that they are dead. We hardly ever find a live sole in the pockets. They come up when they are alive and jam themselves there.

1439. Of course they have not all been in the net six hours?—Possibly the first soles that go in go up first and jam themselves tight.

1440. But you find a great many dead even if they come out of the pockets?—Yes.

1441. You say you throw 15 per cent. of the very small fish overboard?—Yes.

1442. That is to say half of the very small fish are thrown overboard?—Half of these very small ones.

1443. Do you think a good many of those recover?—I think very few of them recover myself. When we throw these small fish overboard the seagulls destroy a good many of them before they go down.

1444. Those that you keep represent about 7 per cent. of the catch, you think, of the small fish?—Yes.

1445. I suppose they fetch a very much less price than the bigger fish?—Yes, because the big buyers will not buy them.

1446. They would not represent 7 per cent. of the profits?—Not at all.

1447. Or of the sales?—Not at all.

1448. So really the money loss would be a very small percentage if you had to throw 7 per cent. overboard; your loss would be very small—Yes, of course.

1449. You would not lose much by it?—No, by throwing 7 per cent. overboard.

1450. You are aware that you have salt grounds which are fed by the whole Atlantic to speak?—Yes.

1451. And therefore you cannot really destroy the whole of your available stock of fish, but in the North Sea the whole of the sea is being constantly scraped by trawlers, and therefore it is very desirable to protect the breeding stock much more so than in your case. Do not you think as a fisherman—you said all fishermen would agree with you—that if it be done with a Bill like this which would protect the breeding stock in the North Sea which is in danger of destruction, that a loss to you of three or four per cent. of your profits would be worth while in the general interests of fishermen in order to protect the very large industry in the North Sea. You do not think so?—I do not think so.

Tuesday, 26th June 1900.

MEMBERS PRESENT :

Mr. Vaughan Davies.
Mr. George Doughty.
Mr. Harry Foster.
General Goldsworthy.
Sir Cameron Gull.
Sir Brampton Gurdon.

Mr. Seale-Hayne.
Mr. Graham Murray.
Mr. Pretymann.
Mr. William Redmond.
Mr. Rothschild.
Captain Sinclair.

MR. GRAHAM MURRAY, IN THE CHAIR.

Dr. T. WEMYSS FULTON, called in; and Examined.

Chairman.

1452. You are, I think, in the employment of the Fishery Board of Scotland?—Yes.

1453. I think you are in charge of the Marine Laboratory which is situated at Aberdeen?—Yes, and of the scientific investigations.

1454. You are therefore, of course, well conversant with the statistics which have been gathered by the Fishery Board of Scotland?—Yes.

1455. And, I suppose, your attention has also been directed to the other statistics which are available from the Board of Trade and other sources?—Yes.

1456. Speaking generally, is it your opinion that there has or has not been of late years a diminution in the abundance of the more valuable flat fish?—I think there is no doubt at all that there has been a great diminution.

1457. In particular a diminution of the flat fish which are dealt with in this Bill?—Yes. I cannot speak specially as to the sole, because the sole is really a very rare fish in Scottish waters, but in connection with all the others there has been a diminution.

1458. What is the evidence upon which you base that general opinion? We will take it point by point?—First of all, of course, there is the almost unanimous opinion of fishermen and of trawlers that there has been a diminution.

1459. Including in fishermen both line fishermen and trawlers?—Yes.

1460. Are you in such a position that you are brought into contact with the expression of that opinion?—At Aberdeen, yes.

1461. Therefore, you are giving us the results of the impression in your mind created by statements made to you yourself by fishermen generally?—Just so.

1462. Passing from that what would be the next point on which you base your opinion?—There is first of all the Board of Trade statistics. They have I think been dealt with, and I quite agree with the conclusion drawn from them.

1463. You have seen the Board of Trade statistics?—Yes.

0.26.

Chairman—continued.

1464. The deduction you draw from those statistics is affirmative of the proposition you have submitted as your opinion?—It is.

1465. Now, will you come to the statistics which are more directly under your own charge—those of the Fishery Board for Scotland. Do you produce certain statements which you will hand in to the Committee?—Yes, I produce tables extracted from the Reports showing the quantity of flat fish and of cod and of haddock landed during the past ten years by steam trawlers. (*The same were handed in.*)

1466. I think your tables are separate, are they not?—Yes.

1467. Cod and haddock are not dealt with in this Bill, being round fish, but you put those in by way of contrast?—Just so.

1468. Of course, the figures speak for themselves, but tell the Committee generally what those figures show, dealing first with the flat fish. In the first place they are for ten years, I think?—Yes.

1469. Beginning in 1890 and ending in 1899?—Yes, that is the only period for which these particulars are available. Trawl caught fish were first distinguished from line caught fish in 1890. The figures show that forty-seven steam trawlers working in 1890 landed 69,000 odd hundredweight of flat fish, and the average quantity landed by each trawler in the year was 1,482 hundredweight. At the end of the period in 1899 there were 207 steam trawlers. They landed 93,898 hundredweight, and the average for each was 453 hundredweight. That shows a very serious falling off in the quantity. That is for flat fish.

1470. Of course, you have taken the two extreme years?—Yes.

1471. Is it the case that although of course there is a considerable variation in the total quantity, the diminishing average per trawler is really fairly regular throughout?—Yes, except that in the years 1895 and 1896 there is a slight increase, and that increase, I believe, is entirely due to the substitution of the otter trawl for the beam trawl.

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1472. Th

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Dr. FULTON.

[Cont.]

Chairman—continued.

1472. The otter trawl, I believe, first made its appearance, did it not, in the year 1893?—It did.

1473. It was at once successful, so that the full scope of its employment would only be felt in the years afterwards, 1894, 1895, and 1896?—That is so.

1474. Is it within your knowledge that besides what is shown by the mere comparing of the quantities there is also this fact to be taken into account, namely, that the grounds over which the fishing fleet ply have yearly been more extensive?—Yes, I think that is brought out in the table I handed in in rather a curious way, because all the flat fish comprised in the total show a diminution except halibut. That fish is not included in the Bill, of course. The quantity of halibut, the total quantity and the average quantity per trawler has increased steadily year by year, the average from 1 cwt. in 1890 to 13 cwt. in 1899. Now, I think that shows indirectly that the area of fishing has shifted, so to speak, to more northern grounds.

1475. Will you just explain why it shows that indirectly?—The halibut is a deep sea fish, and, of course, it is well known that the trawlers have gone more and more to the northern waters—to Iceland and the Faroe Isles.

1476. The presence of the greater quantity of halibut is indirectly evidence that the fleet have been frequenting further and deeper waters than they used to go to?—That is my belief.

1477. I suppose, apart from that, you know it as a matter of fact, and as a matter of common repute?—It is perfectly well known.

1478. The total result of that table then is to show really a steady diminution of flat fish in the sense of average catch?—In the sense of average catch.

1479. And if you are given the factor that increased ground has been taxed for the supply you get also, do you not, the deduction of a decrease of flat fish in the nearer grounds?—Just so; and the further point, of course, that trawlers are now using the otter trawl instead of the beam trawl.

1480. In other words, in spite of extended fishing ground and more effective means of capture, the total supply has not risen, but has only remained stationary?—Yes, it has remained stationary, perhaps, on the whole.

1481. Of course, that effect is still more magnified when you come to make the deduction in respect to the halibut that you have explained—that is to say, that if you threw out of view the halibut the total quantities would be injuriously affected, and would go down?—Just so; but the quantity of halibut is a very small quantity.

1482. You have also put in a statement showing the quantity of cod and haddock and round fish?—Yes.

1483. That, of course, is not dealt with in the Bill, but you have put that in, I suppose, to show whether there is any idea of fish generally decreasing in the same way that flat fish have decreased?—Yes.

1484. What does that table show? It is for the same ten years?—For the same ten years and the same number of trawlers. It shows,

Chairman—continued.

first of all, that the gross quantity both of cod and haddock has very much increased. For instance, in 1890 the gross quantity of cod caught by the steam trawlers was 29,000 cwt.; last year it was 192,000 cwt.; the average trawler rose from 632 cwt. to 931 cwt.

1485. Give the haddock figures, too. In 1890 the total quantity of haddock landed was 130,000 cwt.; last year it was 559,000 cwt., the average being 2,784 cwt. for 1890, and 2,704, practically the same, for last year.

1486. Accepting, therefore, as a fact, in my opinion, the diminution of the flat fish, in contradistinction to the round fish, what reason do you give for the diminution—to what do you attribute it?—I think it is excessive trawling. For instance, I have prepared here a brief statement about the extent of trawling operations. An otter trawl extends to about 75 feet—that is the length of it; but taking it at 70 feet, and taking the number of trawlers at 1,200, then I find that over 700 square miles are trawled every twenty-four hours, on the assumption that the trawlers work fifteen hours out of twenty-four. A square area is 16 miles by 45 miles. Now this shows a very large area indeed of the sea bottom that is swept every twenty-four hours by trawlers.

1487. Do you consider that the destruction by trawling of immature fish affects the supply?—Yes, I think it does.

1488. Therefore do you think the time has come, so far as you can speak as a fishery expert, when it is certainly necessary to attempt in some way or other some remedial measures?—I do.

1489. For preventing the depletion of the fishery stores of the sea?—Just so.

1490. I believe the whole of your evidence is upon the biological part of it was really given in 1893?—That is so.

1491. I do not propose to ask you to fix it in any way, but I think you may just state for clearness, in a single sentence, I suppose, is not possible to fix the absolute size of maturity of these flat fish, is it?—It is possible to fix an average size, but not an absolute size that would apply to every case. There is a range, of course, of maturity in the different species.

1492. So that the fixing of a size below which you wish to prevent the destruction must always really be to a certain extent a question of degree, and also a practical question?—Yes, and it must necessarily in the majority of cases be worked under the biological size.

1493. Otherwise you would practically stop fishing altogether?—Just so.

1494. To take the various ways in which such a purpose might be effected. Take first the question of the mesh of the net. Taking trawling, would it be of any practical service, for the object we have in view, to insist upon an enlargement of the mesh of the cod end of the trawl?—No, none whatever.

1495. Just explain why?—If we were dealing in trawling with one particular fish it might be quite easily done, but the fact is the catch is a very mixed catch of different kinds of fish, and these fish differ in size and also in conformation, and

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Dr. FULTON.

[Continued.]

Chairman—continued.

and if you selected a mesh which would allow all the immature fish of one species to escape it would not apply to the others.

1496. In fact, you cannot, therefore, deal with it in the way you deal with a herring net, for instance?—Not at all.

1497. Where you are only catching one fish?—Just so.

1498. Of course, one logical possibility or argumentative possibility would be that you could order that fish under a certain size should be returned to the sea?—Yes.

1499. Could that be practically done?—Yes.

1500. It could be done?—Yes.

1501. I mean, would there be any chance of its being practically carried out?—I am afraid that fishermen would not attend to it.

1502. And also it is the fact, is it not, that a good many of the small fish are dead?—Yes, a good many are dead.

1503. Then, of course, there is the remedy of direct prohibition of fishing in certain areas. That would be, of course, the most drastic plan of all?—It would be, on the whole, the most satisfactory, if it could be accomplished.

1504. Obviously that cannot be done without international agreement where you are dealing with non-territorial limits?—Just so.

1505. Last of all, there is the method proposed by the Bill, which is to take away the saleable power of fish below a certain limit. What in your view would be the indirect effect of that?—The indirect effect of that would be, or I think it might be, to prevent trawlers going to the eastern grounds, where the small fish are chiefly caught.

1506. Are there, to your knowledge, certain grounds in the eastern part of the North Sea where the smaller fishes abound?—Yes—not from my personal knowledge, I have not fished there, but it is perfectly well known that it is the case.

1507. You know it as a scientific man conversant with these subjects?—Yes.

1508. You have no doubt of it?—None whatever.

1509. Is that because the small fishes go there—do they go there at a certain time of their life?—The water there is shallow, and the trend of the currents in the North Sea carries them in that direction. The current sweeps down the east coast. We made experiments for some years, and they showed that the current passes across from the English Coast to this bight on the Continental Coast, and the floating eggs and larvæ are carried there in very large quantities. Then the ground shallows there, and is suited for these fish. In fact, biologically, this area may be considered as an extension of the territorial waters, of the three mile limit, on this coast.

1510. You mean really that this portion of the sea bears the same relation to the deep sea in general, as the shallower waters of the coast generally do?—Just so.

1511. What I want to bring out is this: owing to these causes which you have narrated to us this portion of the sea is continually, so to speak, filled up with small fish. It is not only the smaller fish which would be there naturally?

—Yes. There is a special reason, apart from the

Chairman—continued.

fact of shallow water, that the smaller fish should accumulate there. In fact, the area is a large nursery.

1512. Fishing, which is destructive to small fish, becomes more fatal in that neighbourhood than it does in the sea generally?—Certainly.

1513. So that any means by which directly or indirectly persons are deterred from trawling in that area would be to the good, as far as the fish is concerned?—Yes, certainly it would be.

1514. By saying to the good, I mean to the good upon the supply of fish generally; I do not mean, of course, the fish in particular?—The small fish in this area move off into the North Sea as they grow in size.

1515. You could not put it better than that; really it is a nursery?—It is a nursery for small flat fish.

1516. I suppose, from the general fishing point of view, it ought to be a sanctuary as well as a nursery?—Yes, if that is possible.

Mr. Rothschild.

1517. You stated, and supported it by tables, that the supply of round fish during the same ten years period which you took as characteristic had increased while the flat had decreased. Is not that due to the fact that the young round fish, from swimming free in the water and not remaining at the bottom, are spread all through the deeper water as well as the shallower water, and are not like the flat fish which are, until they reach a certain age, confined to the shallow water?—Of course, the round fish move about in the water much more than the flat fish. You have an increase in the quantity of round fish and a decrease in the quantity of flat fish, and the only deduction that appears to me sound is that the flat fish are diminishing in abundance on the ground.

1518. That is not what I wanted to get at. What I wanted to prove to the Committee by my question was this: The round fish are increasing because the amount of small fish, owing to their not being all massed together in one shallow water, are not destroyed in the same way, however much you increase the efficiency of the fishing?—Just so; that is one reason.

Chairman.

1519. In other words, I think what the honourable Member wishes to put to you is, is it not the case that, in your view, there is no nursery of the round fish in the way there was a nursery of the flat fish, which is liable to peculiar depredation?—Yes, the flat fish are on the bottom, and the trawl is an instrument that works on the bottom. It takes practically all the flat fish, and it does not take all the round fish.

Mr. Rothschild.

1520. That is what I wanted to bring out. Then, by your direct example of halibut you brought out that the trawlers go to a much greater extent of fishing ground. Is it not a fact that those trawlers in the North Sea who went to the Faroes and the Iceland coast brought back large catches of big plaice and other flat fish and very few small ones because they fished in much deeper water?—Yes, that

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Mr. Rothschild—continued.

might explain it to some extent; but I think also the fact that the ground was not fished over much before explains the larger size of the plaice, for instance. When a new ground is opened up the fish are always larger than they are some years later, and, of course, that is another proof of over-fishing.

1521. That I understand. If that were the only reason there would be mixed up in these hauls of large fish a proportion of small ones?—Yes.

1522. I personally have seen many boxes of Iceland plaice opened, and there have been very few, if any, small fish in them, while in boxes from the trawlers further south the greater bulk consisted of small and undersized fish?—Yes. Of course, the larger fish are in the deeper water.

1523. Do you think that between 1893, when the last Committee sat, and the present time the various biological stations have made any great advance in their knowledge, not merely as to the habits of the fish, but as regards the prospective supply?—Yes, I think so.

1524. Therefore, although you still maintain the general bulk of your evidence of 1893, you have come round to the opinion that it is more necessary now than you thought then to adopt measures to prevent the destruction of small fish?—Yes. It seems to me the most satisfactory course would be to close the grounds; but the closure of the grounds depends upon international arrangements, and I think experience shows that that is very difficult to accomplish.

1525. In Scotland we have been told that certain inland areas, such as the Moray Firth, have been closed to our own trawlers, and it has been practically found impossible to keep away the foreign trawlers; but still the result of closing these areas has been that the numbers of trawlers therein has been very much diminished, and we have been told that the results have been rather the opposite to what was hoped, that the fish seem to have disappeared altogether. Is that your experience?—I think that is rather an exaggeration.

1526. Then you think that if even in inland waters you could stop the trawling altogether for a given number of years, owing to the nurseries of the small fish being undisturbed the supply of larger fish would increase?—It ought to assist it certainly by the protection of the young.

Mr. George Doughty.

1527. You told us a little while ago that there was an increase of round fish per trawler caught last year?—Yes.

1528. Can you tell us where your trawlers were fishing last year?—The Scottish trawlers fish chiefly in the northern parts of the North Sea—as the great fisher bank—but they fish also off the Shetlands and right round to the west coast, and a few go to Iceland, and more go to the Faroe Islands.

1529. Have you studied the figures as far as England is concerned?—I have tabulated them. I have simply extracted them, and I think they show the same thing. They show a decrease of the flat fish and an increase in the total quantity of round fish; but the English statistics do not give the particulars of the number of the

Mr. George Doughty—continued.

trawlers, and you cannot, therefore, get an average, as you can from the Scottish statistics.

1530. Do you think there is as much round fish caught per trawler at the present time off the North Sea, speaking of vessels frequenting English parts, as there was ten years ago?—I cannot say as to English trawlers, but certainly there is as regards the Scottish trawlers and that is due, I believe, to the more efficient vessels—the vessels are bigger and deeper—and also to the net. The otter trawl is 25 feet wider than the beam trawl.

1531. As far as the round fish goes, the evidence has gone to show that there is actually more round fish per trawler caught now than there was ten years ago?—Yes, undoubtedly.

1532. In answer to the Lord Advocate, I said just now that there was a special reason for these small plaice being on the coast of England and Denmark. I did not hear you say what that special reason was?—In the first place, the habitat, the nature of the ground, suits the small fish. In the second place the currents in the North Sea move in that direction to carry the floating eggs and larvæ down to the coast and across to the Dutch coast, and this tends to be an accumulation of the small fish in that way.

1533. Do you think the depth of the water has anything to do with it?—The depth of water has not anything to do with the transport of the small fish there, but it certainly has to do with the existence of the small fish there subsequently. They find the habitat suits them and they stay there.

1534. Is it the fact that the nearer the shore the smaller the fish?—Yes, with all the fish that we are dealing with.

1535. Have you any knowledge, speaking specially of these particular coasts, as to whether there is a very large quantity of large fish amongst these small fish?—I cannot speak to that; I have no personal experience.

1536. You said just now that you thought the most effective way of curing this would be closing the grounds. That, of course, could not be accomplished without an international arrangement, could it?—No, I think not satisfactorily.

1537. About what width from the shore do these shallows run on which the small fish are found, say, on the Dutch or the Danish coast?—I think they run from about twenty-five to thirty miles.

1538. Do you think it would be possible even with an international agreement to police a portion of the water twenty-five to thirty miles from the shore?—Yes, I think so.

1539. You think that would be possible?—Quite possible. It is done, for instance, in the Moray Firth, and I think with fair efficiency.

1540. I agree with you that there is some efficiency about it so far as excluding British trawlers from going there. One word about the Moray Firth. There has been an expression of opinion, I think, that the closing of the Moray Firth has not increased the quantity of sizeable fish in the Moray Firth. Have you any evidence of that?—No, I think there is no definite evidence one way or the other.

1541. Up to the present?—Up to the present.

1542. The

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Mr. George Doughty—continued.

1542. The closing of the Firth has not proved satisfactory?—I do not say that at all. I think it must prove satisfactory.

1543. What evidence have you that it has proved satisfactory?—The investigation has not gone on long enough yet to show the result definitely.

1544. How many years has it been closed?—I think it was closed in 1892.

1545. The point I want to come to is this: Do you think you can expect to get satisfactory results while you have a certain number of foreign trawlers fishing there?—No, it is very difficult, certainly, except at the inshore stations.

1546. What grounds are there round the coast of Scotland where small fish are found similar to what are found on the coast of Holland, we will say?—In all parts that are sandy and shallow you get small fish.

1547. At every point?—Yes. For instance, in the Solway Firth and in the Moray Firth, and in all the firths.

1548. You are strongly in favour of this Bill—you think it would be of service to the fisheries?—I think, on the whole, it would. I think the closure of the ground, if it were possible, would be better.

Sir Cameron Gull.

1549. You said just now to my friend that, in your opinion, no satisfactory result would accrue so long as foreign fishing vessels were allowed to fish on these banks. This Bill will not affect foreign vessels at all, will it?—I was speaking rather of the Moray Firth.

1550. As regards the figures of decrease, do they extend to the whole of the United Kingdom or only to the North Sea?—To Scotland.

1551. You have no knowledge as to whether or not there is a decrease in these kinds of fish say on the South coast or the coast of Ireland?—No, I have no personal knowledge.

1552. In your opinion is this decrease an actual decrease of fish, or do you think it might be explained by the fact or by the probability that, owing to constant trawling, these fish are driven away into other grounds?—No, I do not think that can be the explanation, because the area from which these statistics are derived, that is to say, within which the fish are caught, embraces practically the whole fishable area round about the islands.

1553. Are not the fishermen year by year extending their fishing grounds further and further away down the Bay of Biscay and elsewhere?—They have gone there, but I do not think there is very much fish got from that region, at all events, not so far as Scotland is concerned.

1554. I think it was given in evidence or stated in the House that up to the present there was no actual decrease in the quantity of these fish caught?—Do you mean in England?

1555. No, the total amount of fish landed has not decreased, though I quite admit the facilities for catching them are much greater?—The total quantity of flat fish landed in England has decreased, I think. I think that was shown. The total quantity of plaice, for instance, has decreased.

1556. Some years they are rather less and some years rather more. I do not think, as far as I

Sir Cameron Gull—continued.

can remember the figures, that there is any evidence of any progressive decrease of the total quantity of fish landed. Here are the figures put in by Mr. Archer of the total quantity of brill, soles, turbot, and plaice. In the year 1890 the total quantity of brill was 15,000; in 1899, 20,000; soles in 1890, 72,000; in 1899, 79,000; showing an increase. Turbot, in 1890, 51,000 odd; in 1899, 65,000; therefore an increase. The idea occurred to me that the constant threshing of these comparatively narrow areas in the North Sea, that is to say, 700 square miles, every 24 hours, might result not only in the destruction of the fish of a certain area, but in practically driving the supply out into other waters?—To where?

1557. These returns show that so far from there having been an actual decrease in the quantity of fish landed, there is a small increase. You do not think that the decrease in a particular area in the North Sea can be explained by the fact that the constant disturbing of the area might have driven these fish into other areas?—No, I think the theory is quite untenable. With regard to the statistics, you compared ten years, I think?—1890 to 1899.

1558. 1890 to 1899?—Yes, but in that interval you must take into account the fact that a much more efficient instrument was introduced. I have here the statistics from 1894 to 1899, being the same figures as those given by Mr. Archer. That is the period when the otter trawl was used. You will, I think, see there a diminution in nearly all. For instance, in turbot from 81,000 to 65,000; soles, 82,000 to 79,000; plaice, 855,000 to 752,000. On the East Coast alone the decrease is still more marked. On the other hand, you will find cod in the same period increased from 436,000 to 564,000, and haddock from 2,175,000 to 2,646,000. So that these figures agree exactly in their general bearing with those of Scotland. Those statistics are extracted from the Board of Trade returns.

Chairman.

1559. Do they refer to England alone or to Great Britain?—To England and Wales alone.

Sir Cameron Gull.

1560. Can you tell me what is the total fishing area in the North Sea?—No, I cannot tell you that at present.

1561. You stated that this decrease, in your opinion, was due to excessive trawling. Do you think this Bill will stop trawling and prevent the over fishing?—Do you mean altogether, or on the eastern grounds?

1562. On these North Sea grounds?—I think that will be spoken to better by the English witnesses perhaps.

Mr. Harry Foster.

1563. Have not you an opinion of your own?—I am not quite certain of the size of the fishes—of the marketable fishes—the larger fishes that may be got on these grounds. I gather the general opinion is that the Bill will prevent the trawlers working on the grounds there.

1564. If

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Sir Cameron Gull.

1564. If there are marketable fish caught on these grounds, I rather gather from your answer that you think it would not stop the trawlers going there?—It will depend, of course, on the proportion.

1565. And also as to whether or not the small fish which would be prohibited under this Bill can or cannot find a market in foreign countries?—By English trawlers?

1566. By English trawlers?—I cannot speak about that.

1567. You stated that in your opinion direct prohibition is the most satisfactory remedy, but you said it must depend upon international agreement. Do you remember the suggestion made by Mr. Cunningham, in 1893, that we should prohibit our trawlers going there?—No, I do not recollect it.

1568. He took the opinion of Sir Edward Clarke, who said: "There is no doubt that Parliament can enforce a law to prevent the subjects of the Crown from fishing in any defined areas, whether within territorial limits or outside them. We are just now doing this very thing in relation to the Behring Sea." Do you think if we prohibited our trawlers going to that ground it would be effectual. Do you think if we prohibited them going to these so-called known nurseries it would be effective?—Yes, certainly, in the way that it would prevent them from capturing immature fish in the area.

1569. And more effective than the provisions of this Bill?—For that area. This Bill refers to other parts.

1570. Quite so. I put it to you I think we may take it there is no evidence at present of any serious destruction of small fish except in these areas?—I think there is a great deal of evidence with regard to in-shore waters elsewhere—not by deep sea trawlers, of course, but by small ones.

1571. Have not all these in-shore areas under the control of the various fishery boards full power to prohibit trawling?—Yes, in Scotland they have. In England I think it is the case.

1572. Therefore, the great question at present is, I think, the decrease in the North Sea?—It is.

1573. Particularly having regard to the fact that there are known nurseries on the German and Dutch coasts, and in your opinion, if you could prohibit our trawlers going there, you think it would be a satisfactory step?—I think it would.

1574. Do you know anything as regards the law in foreign countries?—Do you mean the law in regard to immature fish?

1574.* Yes?—Nothing except what has been published with regard to the sizes.

1575. I think you know that there was a law in this country with this very object on the statute book for 150 years?—Yes.

1576. And it was of no use and never enforced, and was finally repealed?—Just so.

1577. What ground have you to suppose that if we re-enact a similar law it will be more successful?—I think the conditions of fishery administration are very different now. For instance, we have fishery authorities, and fishery officers, and fishery cruisers, and so forth. At that time there was nothing of the kind.

Sir Cameron Gull—continued.

1578. Do you know what proportion of the small fish are dead when they are brought from the trawl?—It all depends on the fish and on the circumstances—on the duration of the haul, the nature of the ground, and various circumstances.

1579. Do you know what the duration of trawls is in these steam trawlers?—I think on the sandy ground—good ground—it is about three or six hours.

1580. Could you give us at all what proportion of dead there are in those cases?—No, I cannot tell you exactly. I made experiments several years ago and I gave the full details to the Committee of 1893.

1581. Then you have nothing to add on this point?—Nothing.

1582. I understand you adhere to all the evidence except your opinion on this point of the prevention of sale of small fish, and on that point you have changed your opinion?—Yes.

1583. You remember that in 1893 you were asked: "With regard to the limitation in size and limiting the landing and sale of under-sized fish, you are opposed to that, I understand, both on scientific and economic grounds," and you replied, "I am, and also, I may say, on the ground of the difficulty of carrying it out"?—Yes.

1584. You think it can be carried out, as you think now that scientifically and economically it is advisable?—I think it would have been better if the areas could be closed, but I believe that cannot be very well done.

Captain Sinclair.

1585. May I ask about this question of the fish supply in the North Sea, has investigation and research justified us in saying that the fish are not there? Do we know the North Sea sufficiently?—Do you refer to the small fish, or to the large fish in the tables?

1586. These plaice, soles, brill, and turbot?—I think there is very little doubt that the small fish are not there, because the trawl would catch them; but, of course, it is rather a difficult matter with very small fish that are not caught by these large trawls.

1587. Do you draw any distinction between Scotch fishermen and English fishermen in regard to the question which is affected by this Bill?—I do not think it affects Scotch fishermen very much, certainly not the Scotch trawlers. I mean, I do not think Scotch trawlers go and work on these grounds to any extent.

1588. They are the only class of Scotch fishermen who are likely to be affected?—I think so.

1589. It may be said, may it not, that the line fishermen are not responsible for the destruction of immature flat fish to any large extent?—That is so, and certainly not to any extent under these sizes.

1590. The practical effect, and I take it the object, of this Bill is to preserve principally these fishing grounds on the other side of the North Sea?—I believe so; but, of course, I cannot speak as to that.

1591. That is the most valuable nursery for which protection is desired, is it not?—Yes, it is.

1592. [Inaudible]

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Captain *Sinclair*—continued.

1592. Do not you think that it is rather a cumbersome way of protecting that area to propose legislation restricting the fishing operations of a great number of fishermen who never dip their nets into that basket at all?—Well, of course, that is a question for argument.

1593. I do not compare it with any other method, but I ask you whether it does not seem rather a roundabout way, and open to some disadvantages as well as advantages, that in order to protect that area on the other side of the North Sea we should impose this proposed restriction on our fishermen?—It is. Of course, as I have said, it would be more satisfactory if the area could be closed, but I do not think that the provision as to sizes in this Bill would be injurious to the fishing anywhere round about the coast.

1594. You do not think, in fact, that any hardship would be imposed upon any of our fishermen by the passing of this measure?—I do not think it.

1595. Let us pursue that question for a moment. Have you any opinion as to whether this Bill will have any effect on the price of fish in the market?—I cannot speak very well with regard to that.

1596. May I go to the report of 1893, in which a sentence occurs to the effect that it is practically impossible to prevent the capture of these small fish?—Yes, I think that is the case.

1597. That involves that under this Bill a certain amount of fish which is good for food would be wasted?—It may be a small amount. I do not think there are many soles or plaice under 8 inches brought into the market.

General *Goldsworthy*.

1598. In Scotland?—In Scotland.

Captain *Sinclair*.

1599. There is no market in Scotland for these fish except as the accompaniment of a better and more valuable catch?—No.

1600. Nobody goes out to catch them?—Oh, no.

1601. May I ask you this question as to international agreement? As a matter of fact, the measure of protection afforded by this Bill will not be fully effective for the protection of that North Sea area unless it is international?—It would, of course, be much better if it were international.

1602. The area will not be fully protected unless it is international?—It depends on the number of other trawlers that work in this area.

1603. Assuming that it is a valuable fishing ground, and that the fishermen of other countries are not prevented from going there, the forbidding our fishermen from selling the fish which they caught there is not likely completely to protect that area?—Not if the foreign trawlers do go there.

1604. You said just now that you would prefer an international agreement as to the closing of areas, or an extension of the territorial limit as a method of protection?—Yes.

1605. You seem to have abandoned hope in that direction?—Yes.

Captain *Sinclair*—continued.

1606. Will you say why?—Because I think the difficulties have been found so great. It was recommended by the Committee seven or eight years ago that this should be done, and nothing has been done or can be done apparently.

1607. Are you aware whether anything has been seriously attempted?—No, I am not.

1608. You do not know whether efforts have been made and failed?—I understand generally that some negotiations or some correspondence took place.

1609. But there has been no information given to the public on that point?—I think once or twice questions were asked and answered in the House of Commons in regard to that. I think there was some negotiation.

1610. I asked you what information you have?—I have no information except the impression I have from what appeared in the newspapers.

1611. Of course, the subject of the agreement might modify the difficulty of coming to terms. In the one case as in the other full protection can only be obtained by international agreement. I am comparing the enactment of a general size limit of flat fish in the North Sea with an agreement as to the extension of territorial limits or the closing of areas, and I put it to you that though the subject of the agreement might modify the difficulty, at the same time the general difficulty of attaining international agreement would be more or less the same in both cases?—I think so.

1612. One question about the Moray Firth. Do you consider the closing of the Moray Firth and the other areas, from a scientific point of view, to have been valuable?—From a scientific point of view, or from the point of view of the effect on the fishery?

1613. From the scientific point of view. Do you consider that it has been valuable as a field for investigation?—I do not think there is anything very special in connection with that.

1614. I mean from the point of view of the researches of the Scottish Fishery Board, and the statistics that they have been able to give as to whether or not the closing of such areas may or may not be valuable?—Oh, yes, from that point of view of course, certainly.

Chairman.

1615. Then you think it valuable?—Yes.

Captain *Sinclair*.

1616. Have you had the full means to make use of these opportunities?—No, we have had a very inefficient vessel.

Mr. *Harry Foster*.

1617. Is that the "Garland"?—Yes. Full evidence on this point was given before the Committee of 1893 showing the inefficiency of the vessel for the purpose, because the area of the Moray Firth is a large area, and it is a stormy area, and the "Garland" is rather small to carry on the investigations there.

Captain *Sinclair*.

1618. As to other results bearing on questions that were asked earlier on this point, it is undoubtedly

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Captain Sinclair—continued.

doubtedly the case that the Moray Firth has been less fished since it was closed than it was before?—Yes, I should think so.

1619. Really the closing of such areas is in a line with the recommendations at the recent Stockholm Conference?—Yes, perhaps it is.

1620. It is an effort in that direction?—Yes.

1621. Will you kindly say if that hydrographical conference, among its many recommendations, recommended anything in the direction of a general size limit of flat fish in the North Sea?—No.

1622. I believe that did not come in the programme of the conference?—It was rather to prepare a scheme for scientific investigations in the North Sea.

1623. With a view to what?—With a view to increasing the knowledge of the habits of fish.

1624. In the North Sea?—In the North Sea.

1625. And on what ground?—On the ground that our knowledge is still very defective.

General Goldsworthy.

1626. You have read this Bill?—Yes. I have read the whole Bill, but have only considered the part dealing with the size limits carefully.

1627. I should like to ascertain whether you think this Bill is likely to be a benefit or not?—Yes; on the whole I think it is likely to be of benefit.

1628. You think if the sizes were increased it would be better?—Yes. I rather think if the size of plaice, for instance, were increased by 2 inches it would be more beneficial.

1629. Of course, soles do not affect you so much?—No.

1630. Then on the whole you think the Bill is a good one?—On the whole I think it is a good Bill.

1631. And that we shall derive benefit from it?—Yes.

1632. Scotland as well as England?—Yes, I think so.

1633. Can you tell me from your own knowledge, or from what you have heard, whether the size of the fish that is caught now has decreased in the last few years?—Yes, I believe that to be the case.

1634. You do not know exactly to what extent?—No, I do not.

1635. You said just now, as I caught it, that it was practically impossible to prevent the catching of immature fish?—I think it is.

1636. Might I ask you whether it would not be possible to diminish the quantity of immature fish that is caught by keeping off the grounds where the immature fish are known to be?—Certainly.

1637. And there are certain grounds where the immature fish predominate, if I may so put it?—Yes.

1638. And are known to predominate?—And are known to predominate.

1639. Sir Cameron Gull put a question to you just now with reference to the legislation that had previously taken place with reference to prohibiting practically the catching of certain fish, that that was introduced when there

General Goldsworthy—continued.

were no steam trawlers, the conditions were different to what they are now?—Just so.

1640. Therefore it would not apply. You said you had not proper appliances for making all the observations you wanted. Would you kindly say what you require to enable you to make those observations?—The most important thing was a steamer.

1641. A better steamer?—A better steamer.

1642. And then you would be able to do the work more efficiently?—Yes.

1643. Have you seen the evidence which has been given before the Committee?—Yes.

1644. The object is to decrease the amount of immature fish that now comes in. Is there anything you can think of besides this which this Bill?—No, I cannot say I can think of anything.

Sir Brampton Gurdon.

1645. I think you told Captain Sinclair that the closing of Moray Firth had been a success and had been of advantage?—I think it may have been an advantage in this way. Both the English and Scotch statistics show that flat fish have fallen off very largely. By the closure of the Moray Firth you not only protect large areas where immature fish abound, but you protect also areas where they spawn; and therefore, by the closure of the Moray Firth, you are protecting fish in the two ways in which they are chiefly protected, in the young stages and in the breeding stage.

1646. That is the reason why you close it, and why you think it will be of advantage?—Yes.

1647. I understand you to say it has been an advantage?—As I said, the statistics we have collected are scarcely sufficient to show the definite effect, partly owing to the inefficiency of the steamer and also the time.

1648. You told General Goldsworthy that the size of the fish on the coast of Scotland had decreased. You mean it has been decreasing for a long time?—Yes, I believe so.

1649. But there has been no visible decrease since the Moray Firth was closed?—No, I cannot speak to that.

1650. Then at present you do not know anything about the closing of the Moray Firth? You hope it will be a success, but you have nothing to show that it is?—You are speaking of scientific grounds, of course?

1651. On scientific grounds you think it ought to be a success, but there is nothing to prove that it has been?—No; these questions are very difficult to prove. In the first place the ordinary fluctuations that take place in fisheries is a thing which constantly interferes with the results of observations; in the second place the area is a very large one; in the third place the means of investigation have been rather limited and inferior.

1652. How long has it been closed?—Since the end of 1892, I think.

1653. It has been closed eight years, with the exception of four or five months, and there have been no results at present?—No, but the investigations were not carried on there the whole time.

1654. But from the general information you have from fishermen there has been no increase

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crease?—I think there has rather been considerable fluctuations in the round fish captured by line fishermen.

Mr. Harry Foster.

1655. I think I understood you to say that so far as Scotland is concerned this Bill would make very little difference?—I do not see how it can make very much difference.

1656. At present you say Scotch fishermen do not destroy these immature fish?—Well, they do not certainly go to any place to fish for them specially.

1657. Do you know any case of any fishermen who go anywhere to fish for these small fish?—No, I do not.

1658. Should you think it at all likely that they would, having regard to the market conditions?—I do not think so.

1659. So that without any legal prohibition at the present moment there is no sufficient inducement to fishermen to go and destroy these small fish?—Not in Scotland.

1660. That is, so far as your knowledge goes?—Yes.

1661. Do you know of anywhere else where they do?—Of course, I can only speak from what I have read and heard.

1662. I mean of your own knowledge?—No.

1663. What we really want to know is not whether these fish were destroyed, because, of course, that pre-supposes that these men are there on the ground, or they could not destroy them, but whether, as far as your knowledge extends, fishermen go to any particular spot for the purpose of catching these small fish?—No, not as far as my own knowledge extends.

1664. I think I understood you correctly also that there is no market for these small fish in Scotland?—I do not think there is.

1665. Therefore, your evidence amounts to this, does it not, that as far as Scotland is concerned this Bill is not necessary?—I do not think it is of much importance one way or the other with regard to Scotland.

1666. This Bill is a restrictive Bill?—Yes.

1667. Your statement is that the Scotch fishermen do not require restriction because they are not doing the damage?—I do not think they are doing the damage to the same extent.

1668. To what extent? I understood you a moment ago to say that it is not the Scotch fishermen who are destroying the fish. Do you qualify that now?—Of course, plaice under eight inches long are caught by trawlers occasionally everywhere.

1669. And always will be, I suppose?—And always will be.

1670. And no Act of Parliament will prevent that?—It cannot prevent the capture of the fish.

1671. This Act will not stop their doing that—the occasional catching in a trawl of a plaice of eight inches?—No, it cannot.

1672. Do you think this Act will alter the habits of Scotch fishermen with regard to any grounds on which they at present fish?—I do not think so.

1673. They will still go where they go now?—I think so.

1674. So long as they find they can get marketable fish?—Yes.

0.26.

Mr. Harry Foster—continued.

1675. Therefore it will not have the effect, so far as Scotch fishermen are concerned, of closing any area?—No, I think not.

1676. Am I wrong in saying that in your opinion, as far as Scotland is concerned, this Act will not accomplish much?—I do not think it will accomplish much in regard to Scotland.

1677. So far as there is a falling off in the supply of flat fish, to what do you attribute that?—To over-fishing. I would not say simply to the capture of immature fish, but to over-fishing generally.

1678. By catching the large spawning fish you obviously diminish the supply?—That is so.

1679. Therefore, you think it fairer to say that the diminution of flat fish is due generally to over-fishing of all kinds of fish—that is to say, the small and the large?—Yes.

1680. The more you increase the catching power of fish, of course to that extent the more you destroy the reproducing fish—the marketable fish?—Just so.

1681. That was the conclusion that was come to by the Royal Commission in 1883. It was out of that Commission that the "Garland" came into being, and the experiments with the "Garland"; perhaps you remember that?—Yes.

1682. This is a paragraph from that report, which no doubt must have come before you many times: "In so far as it may contribute to any decrease we think it can only be as part of a system of over-fishing, and not because of the wasteful destruction of spawn fish food or immature fish"—Did that refer to flat fish?

1683. That referred to fish in in-shore waters—that would be mostly flat fish, no doubt?—Not necessarily. I think the Commission in 1883 found a diminution of flat fish in inshore waters.

1684. They begin: "We are unable to come to the conclusion that trawling is the sole cause of the decrease of fish in inshore waters." They found a decrease undoubtedly?—Yes.

1685. Professor Huxley was a member of that Commission. Has it come to your notice that he expressed himself as favourable to an experiment to prohibit trawling in the bays and estuaries to see how far that would affect the local and the general supply of fish?—Yes, I believe so.

1686. And it was as a result of that that the Scottish Fishery Board in 1884 closed certain areas?—I suppose so.

1687. St. Andrew's Bay, the Firth of Forth, and Aberdeen Bay?—Yes, I was not connected with the Fishery Board at that time.

1688. When did your connection commence?—In 1887.

1689. Then you know of the result of the trawlings of the "Garland" in 1887?—Yes.

1690. The "Garland," I understand, was acquired by the Board in 1886?—Yes.

1691. All the experiments which have been conducted since that date have been for the purpose of testing the question as to how far the compulsory closing of these areas affects the supply of fish?—Not all the experiments.

1692. Has not that been the main object?—The main object, yes; but, of course, other investigations have been made.

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1693. I am

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[Contd.]

Mr. Harry Foster—continued.

1693. I am speaking of these particular trials by the "Garland"?—I may mention, for instance, that the first investigation of immature fish was done by means of the "Garland." Immature fish were not even defined before we began work.

1694. Are they defined now?—Yes.

1695. How do you define an immature fish?—By its length. The word was used in a perfectly general sense, applied to a small fish, whether it was biologically a mature fish or not.

1696. What do you now say will be a correct definition of a mature fish?—A fish that has developed reproductive organs.

1697. Do you say that that has been settled now definitely and scientifically as the result of the experiments with the "Garland"?—It has, and, of course, of other observations.

1698. Can you tell me what has been the result so far as the soles are concerned as establishing the length of maturity of the sole?—The sole is rather scarce in Scotch waters. We get very few soles indeed. I think you will get that evidence better from the English witnesses.

1699. Have not you established that fact as far as your experience goes?—Yes, I think it was about 11 or 12 inches—the female.

1700. The male would be what—an inch smaller?—Yes, fully an inch smaller.

1701. With regard to the other fish mentioned in this Bill—turbot?—The female turbot in the majority of cases reaches maturity at about 18 inches; some perhaps, 2 inches smaller than that.

1702. 16 to 18?—Yes.

1703. And the male?—About, perhaps, 2 inches smaller.

1704. 14 to 16?—Yes; of course, you get abnormal specimens.

1705. I am asking for the normal. Then place?—The female about 15 or 16 inches.

1706. And the male?—About 2 inches less.

Mr. George Doughty.

1707. How do you measure them?—The total length.

Mr. Harry Foster.

1708. The end of the nose to the tip of the tail?—Yes.

1709. Brill?—Brill about 16 inches.

1710. 14 for the male?—About that.

1711. You were telling me what other object had been achieved by the "Garland" beyond the main object of ascertaining the result of closing areas?—Yes.

1712. You said they fixed the size of maturity?—Among other things the "Garland" has shown that the flat fishes do not spawn in inshore waters. Of course, the view previously held and enunciated by Mr. Frank Buckland, for instance, and others, was that these flat fishes and fish generally came into the shallow water to spawn. That was shown by the "Garland" not to be the case. Instead of going into the shallow water to spawn they pass out into the deep water to spawn.

1713. So far as the main object of the "Garland" experiments is concerned, namely, to establish distinctly the results of closing those certain areas, these bays, do I understand you to say, that the "Garland" is a very badly equipped vessel for the purpose?—Yes.

Mr. Harry Foster—continued.

1714. You do not consider that, so far as experiments have gone at present, the Scotch Fishery Board has been equipped with adequate means for making those experiments?—I think it would have been much more satisfactory if the vessel had been larger—a sea-going vessel.

1715. The experiments have been going on for some considerable time, have they not?—Yes.

1716. You told us that the St. Andrew's Bay, the Firth of Forth, and Aberdeen Bay were closed in 1884; and then in 1886 was a small part of the Moray Firth closed to trawling?—I think the Firth of Forth was first closed in 1884.

1717. The closed areas of the Firth of Forth and St. Andrew's Bay were extended? They had been closed in 1884, and the closed area was extended?—Yes.

1718. I think the closed area in the Firth of Forth was extended, making a total of 250 square miles of area closed, and St. Andrew's Bay 50 square miles?—Yes.

1719. You told us your connection began in 1887. Was there an exceptionally large take of fish in the closed area in that year?—Yes.

1720. Did that lead to rather premature conclusions as to the result of the closing?—It was I believe, generally held that it showed the value of closing.

1721. Occurring immediately after the closing of these areas it was supposed, was not it, that it was in consequence of the closing?—Generally supposed.

1722. But subsequent events rather disillusioned the people about it?—Yes.

1723. They showed that it was due to other causes?—Just so.

1724. Very frequently there are very erratic movements in the catch of fish, are there not, as there have been ever since we have had our statistics?—Yes, especially, I should say, in shallow water, where the influence of weather and storms is rather more important than in deep water.

1725. In a recent Report of the Fishery Board they have referred, have they not, to experiments of the "Garland" as having been conducted for ten years, and as showing that no improvement had taken place in those bays, but rather the reverse?—Yes, that is so. Let me point out this however. By protecting these inshore waters where the flat fish such as plaice abound, we would expect that the number would be increased. That is a very reasonable thing to suppose, and the number has not been increased.

1726. Nor the size?—No. The deduction is not, therefore, that the closure does not do any good, but rather, in the light of these statistics about the falling off in flat fish generally and plaice throughout the sea, it shows that the quantity of the pelagic or floating eggs, and small fishes does not get into these closed bays. All the plaice, for instance, of the Firth of Forth and St. Andrew's Bay come from the outer sea. None are spawned there at all. They simply pass a period of their existence there, as in a nursery, and then pass out; and when I show you from these statistics that there has been and is a great falling off in the number of plaice generally throughout the North Sea, it comes quite into relation with the smaller number of immature plaice now found

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Mr. Harry Foster—continued.

ound in the closed bays, because they are all derived from the plaice in the outer sea.

1726*. So far are not these experiments of the "Garland" the only scientific experiments since inquiry was first started by Parliament for the purpose of getting definite statistical information? Are you aware of any others? So far as I am aware there is no other statistical information available to this Committee except those very important results of what the "Garland" has been accomplishing for some years past?—I believe the Marine Biological Association have made some investigations in some of the bays on the south coast of England.

1727. Then with the exception of what the Marine Biological Association may have done, are you aware of any other systematic experiments of this character, such as the Scottish Fishery Board have been conducting—I mean by actual trawling?—No, I think not. In Japan they started investigations. I do not know the result.

1728. I understand you, I think, to say that so far as the Scottish experiments are concerned, although they have gone on for some time, owing to the difficulties you are labouring under you would not by any means say that those scientific experiments at this moment are completed?—I think, in regard to part of them, they have shown very definitely that the increase that was anticipated in plaice, for instance, by closing a bay has not occurred. That is absolutely certain, I think. It was supposed that by closing a bay you would have a great increase in the small plaice. That has not occurred.

1729. That has not arisen?—That has not arisen, but the reason is, I believe, because the adult spawning plaice outside have diminished in numbers.

1730. As to that, that again is necessarily theory, is it not?—No, I think it is absolutely certain.

1731. That is your opinion, that that is the certain reason?—I do not see any other reason, unless it can be maintained that the cessation of trawling, by which the fishes are chiefly captured, should decrease the number of fish. I do not see how that can happen.

1732. You said with regard to the Moray Firth you could not expect to get satisfactory results while foreign vessels are allowed to fish there?—I am afraid not, beyond the three mile limit.

1733. Would not that same argument apply to any other areas in the North Sea? Would you expect to get satisfactory results—that is to say, an increase of fish?—Where scientific investigations are going on for scientific purposes, do you mean?

1734. No, for practical purposes?—Do you mean if the area on the other side was closed to English trawlers and open to foreign trawlers would it be a benefit?

1735. Yes?—I cannot speak about that.

1736. Would you think that fair to English trawlers?—The whole thing depends upon the proportion of foreign trawlers and the proportion of English trawlers that work there. I should say the stake of Great Britain in the fisheries of the North Sea is about six or seven

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Mr. Harry Foster—continued.

times more than the other countries—the value of the fisheries derived from the North Sea.

1737. Therefore England has a great interest in securing that if an area is to be closed it should be effectually closed?—Yes.

1738. Do you think the effect of limiting the size by this Bill, and therefore excluding a certain quantity of fish from the market, would be to affect the price?—I really cannot speak about that. I was asked that question before, I think.

1739. You were asked that question in 1893, and you answered it very positively then?—Yes, but I do not think a size was fixed then.

1740. You were asked: "And that its affect also might be to raise the price of other fish?" and your answer was: "I think there is no doubt about that?"—Yes, but I think that did not refer to a size.

1741. I will read the rest of the answer: "If a size limit, for instance of 12 inches, was applied to plaice, that would cut off a very great quantity of plaice from the market, and I think the price of other fish would be raised proportionately"—Yes, but the limit in this Bill is 8 inches, and the quantity of fish between 8 and 12 inches caught, of course, in considerable.

1742. Is your point that the quantity brought into the market under 8 inches is too small to affect the price?—I really cannot say. I cannot speak about that definitely.

1743. If the quantity under 8 inches that at present is being brought into the market were large, in your opinion would that affect the price?—I do not feel competent to give an answer on that point.

1744. Can you tell us anything with regard to the number of these immature fish that survive when the trawl is brought up?—It depends upon the duration of the haul and the species of the fish and so forth.

1745. Assuming a haul of 4½ or 5 hours?—On clean ground?

1746. Yes. What percentage of the undersized fish would you expect to be alive?—Of plaice, for instance, I think a very large percentage.

1747. That is, when the haul is actually brought up on to the deck?—Yes.

1748. Then, of course, there is a very considerable interval of time, is there not, between the hauling up and the sorting out of the fish?—Yes.

1749. What percentage of the plaice would you expect to be alive after that process had also been gone through?—Not very many.

1750. We should be wrong, should we not, in accepting as a fact the mere question of the number that might be alive by scientific experiment when the trawl is actually brought up, and the question of when the fish are dealt with by the fishermen and sorted out on the deck of the trawler?—Yes, it would depend largely, of course, upon what the fishermen did—whether they took the trouble to put back the fish. I believe some do put the fish back very early.

1751. You were asked about the question of international agreement. You do not know of any attempts beyond hearsay, to arrive at an international agreement since 1893?—I know nothing

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[Continued.]

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nothing except what I have seen in the newspapers.

1752. Is it your opinion that we ought to have made, and if not we ought to make, a serious attempt to get an international agreement as the best means of protecting the North Sea?—If the question related simply to fisheries it might be, but I think that is a question that I can scarcely answer.

Chairman.

1753. There are just three things I want to ask you about. First of all as to the Scotch Fisheries; you were asked whether this Bill would in any way interfere with the Scotch fishermen, and you said you did not think it would, because they are not in the habit of going to these grounds where immature fish are killed?—I think not.

1754. I suppose if the effect by this Bill or any other means were to increase the fish supply, Scotch fishermen are interested in that question, I suppose, like other people, are they not?—Certainly, greatly interested.

1755. Have you any doubt that if, as a matter of fact, the breeding grounds of the North Sea could be protected that would have a generally beneficial effect upon the whole fishing areas, Scotch fishing areas included?—Certainly. Of course, the two modes of protecting organisms usually adopted are by protecting the young stage and the breeding stage, and the same would apply to fish.

1756. I am coming to that. You have been asked certain things about the experiments of the "Garland" made in certain restricted areas that were closed in the initial period of this legislation?—Yes.

1757. Of course, very shortly afterwards there came the general law which closed the whole of the three-mile limit within Scotland?—In 1889, I think.

1758. As a scientific man, have you any doubt that for the purposes of increasing the fish supply it is a good thing to stop the destruction of immature fish?—None; it is most important.

1759. And in that expression immature fish, have you any doubt in including the sizes below the sizes specified in this Bill?—Not at all.

1760. In fact, as a scientific man you would rather like to see the limit increased?—Yes.

1761. Is there anything in the experiments of the "Garland" that in any way displaces the idea which you a moment ago expressed, that the prevention of the destruction of immature fish is a good thing for fish supply?—No.

1762. Even assuming—I do not think that that is the result—but even if for the purposes of argument you assumed that the "Garland" had showed that the closing temporarily of those limited areas did not increase the supply of fish

Chairman—continued.

at the moment there, would that in any way affect your idea upon the general point, that it is a good thing to prevent the destruction of immature fish?—It certainly is a good thing to prevent the destruction of immature fish, and the closure of these areas tends to that.

Mr. Harry Foster.

1763. The closing of which areas?—Of the areas where these fish abound.

Chairman.

1764. Now, one word about the Moray Firth. I think we have the dates when it was closed, when it was opened. You are aware, of course, that owing to international law it is impossible by direct legislation to prevent the ingress of foreign trawlers within the Moray Firth?—Yes.

1765. Is the effect of having the foreign trawlers to make it impossible to draw any reliable scientific deduction from what would happen if the Moray Firth were effectually and hermetically closed?—It depends, of course, upon the number of trawlers. The number of trawlers now is so large that I think it is.

1766. On the other hand, if you go to the opinion, are you aware of the opinion of the Scotch fishermen of the coasts bordering the Moray Firth?—As to the closure?

1767. Yes?—Yes, generally I am.

1768. Is it not the fact that the line fishermen would very much object to the Moray Firth being opened?—I believe so.

1769. Of course, the Aberdeen trawler who sees the foreign trawler going, would like it. Just so.

1770. They are probably each, of course, springing from what they conceive to be their own interests?—Yes.

Mr. George Doughty.

1771. Can you give an explanation of the return that there is one million hundredweight of fish, taking the totals, less landed in Scotland last year than the year before?—I was not aware of it.

Captain Sinclair.

1772. Does it not include herring?—Probably it would include herrings.

Mr. George Doughty.

1773. You mean there was a failure in the herring last year?—Yes. I have got here the general statistics from Part I. of the Board's report, showing there is a quantity of fish less. It is accounted for by the herring.

Sir Cameron Gull.

1774. It is not flat fish?—It is not flat fish.

Sir THOMAS DEVEREUX PILE, called; and Examined.

Chairman.

1775. You are Lord Mayor of Dublin?—Yes.

1776. I understand you are a wholesale fish salesman yourself?—I am interested in it, yes.

1777. And also a steam trawler owner?—Yes.

1778. How many trawlers do you own?—I own five steam trawlers.

Chairman—continued.

1779. I believe you are in favour of the principle of this Bill?—Yes.

1780. As having a tendency to prevent the destruction of immature fish?—Yes.

1781. I suppose, as a fisherman, you look upon that as a desirable object?—I do. We suffer a good

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Chairman—continued.

good deal from it in Ireland. All along the east coast there is a lot of seine net fishing, and it means bringing in shore a lot of very small plaice, and turbot, and soles, which are really unsaleable.

1782. And which might grow to maturity if they were left where they were?—Which would come to maturity.

1783. I suppose you are really directing your attention to the Bill from the point of view in which it would affect Ireland?—Altogether.

1784. You are not here to give evidence upon this question of the nurseries of the North Sea?—No.

1785. Then I understand that your view is that you think that the size in the Bill is too large?—I do.

1786. Is it from the point of view of practical experience with the Irish fisheries that you say that?—Yes, practical experience with fishing generally. I think the size suggested of ten inches for turbot and brill seems to me to be rather a large size, and the same thing applies to a sole or a plaice. An eight-inch sole is what would be termed, in the trade, a good breakfast sole—a fair sized breakfast sole. I have roughly measured it. That is an eight-inch sole (*illustrating*).

1787. That is end to end?—That is from nose to tail.

1788. How much would you put for his head out of the eight inches?—Head and tail I would put probably about an inch and a half to two inches.

1789. Not an inch and a half surely between the head and the tail—you mean both together?—I mean both together. The balance would be the fish.

1790. The soles of Ireland must have very large bodies if they are like that?—I do not know. I am inclined to think that is so.

1791. You must give the sizes for yourself. Do you say of an eight-inch sole that one inch and a half would represent the whole of the head and the whole of the tail?—Well, I would have to really go into it more carefully to give a definite opinion, but I should say one inch and a half to two inches would cover it.

1792. What size would you suggest?—I think six inches would be quite sufficient for the purpose.

1793. For all the fish in the Bill?—I think you are commencing to interfere with the sale of fish, which, after all, for food purposes are valuable.

1794. Where does the trawling that you are speaking of go on?—All along the east coast principally.

1795. Can you give us any particulars as to the amount of undersized fish that comes into the market?—Well, the most of those immature fish does not come from the trawling so much as it comes from what are termed seine nets along the shore, and there, in my opinion, the great damage is done.

1796. They are the great offenders?—They are unquestionably.

1797. What are they meant to catch?—Really what they go to catch are a moderate-sized plaice or flat fish, principally plaice, and,

Chairman—continued.

in the catching of that, they take all sorts of immature flat fish. I have seen small soles and small turbot not more than two inches from head to tail, all descriptions—small brill.

1798. Which, of course, are quite unsaleable?—Utterly unsaleable—utterly useless.

1799. So that, I take it, on the whole you are in favour of the class of legislation in the Bill, but you think the particular size might be reduced?—Yes. I go a little further as regards sub-clause 3 of clause 1. I think that will be very hard on a person who offers the fish for sale. I say that from a salesmaster's point of view. A great deal of fish comes to the markets which is sold in boxes, and it is impossible to see what is in the bottom of the boxes. So I think if the salesmaster, as the case may be, offers the name of the consignor it ought to relieve him from liability.

Mr. George Doughty.

1800. Have you ever measured an eight-inch plaice. I have taken some interest in this question and measured them, and I have been very much surprised?—I confess I have not measured them. I am speaking purely from taking the measure myself of an eight-inch sole.

1801. Would you be surprised to learn that a plaice 7 inches long has a tail of 2 inches and a head of 2 inches?—Well, I would be surprised to learn that it had a tail of 2 inches.

1802. May I ask you just for your own information and interest when you see one to measure it the next time?—I see a great many thousands of them, but I practically have not measured them.

1803. You would be quite surprised?—I should.

Sir Cameron Gull.

1804. Do you know whether there is any difference between the flat fish caught in the North Sea and those caught off the coast of Ireland?—I do not think there is any difference whatever.

1805. There was evidence given to the Committee of 1893 that there was a considerable difference as regards size, in the thickness, of the fish caught off the west coast and the south coast of England, as compared with those in the North Sea?—All I can say with regard to that is this, that we get a lot of very thick plump plaice, which are known as flounders or also as plaice—very thick plaice, which are a very saleable article at that size. I take it really on measurement. They are a very saleable article, and unquestionably good for food.

1806. That is why I asked you the question, because there was a considerable body of evidence given in 1893 that there was a difference that the size was not a sufficient guide, and that in the North Sea you catch a long and thin fish with very little on it, while in the Channel the fish are thicker and shorter? Quite so.

1807. Therefore a size might be reasonable in the North Sea and quite unreasonable when you get to the south coast and west coast?—We get a lot of short and thick fish, and it is the size that rather startles me—the 8 inches. That makes me think it ought to be reduced.

1808. You

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[Cont.]

Mr. William Redmond.

1808. You have very considerable experience in the fish trade in Ireland?—Yes.

1809. You know what the demand is?—Yes.

1810. Is there a demand for flat fish under the limit of size mentioned in the Bill for soles and plaice, say, of 5, 6, or 7 inches?—I do not think there is a sale even. There ought not to be a sale for fish 5 inches or even 6 inches.

1811. I do not say 5, but 6 or 7?—When you get to 8 inches I think it is a marketable commodity, fit for sale.

1812. We had some evidence given yesterday, by a practical fisherman from the south, in which he said very often when the trawls were taken up it was found that a very large percentage of fish—he mentioned 90 per cent., I think—were dead?—Yes.

1813. Do not you think it would be a waste, if this Bill were passed setting the limit of a sole at 8 inches and the others at 10 inches, that in a case like that, where the trawl was brought up and a number of fish were dead, if all fish under the limit mentioned in this Bill had to be destroyed or thrown overboard?—I think that is rather the tenor of my evidence. I think the limit is too large altogether, but I should think the too small ought to be thrown overboard.

1814. Not everything under 8 inches?—I think under 6 inches might fairly be put.

Captain Sinclair.

1815. Do you see any practical difficulty in the machinery of this Bill?—I do not. I think the Bill is very clear and quite workable.

1816. In carrying out the last sub-section?—The only thing about it is that I think there ought to be a means by which the person who really derives the benefit from the sale of the fish should be the person who should be liable in the event of sending fish to market which is beneath the size.

Mr. Harry Foster.

1817. You are engaged in the trawling industry yourself?—I am.

1818. Do your men ever go out for the purpose of catching these undersized fish?—No, they do not. When I speak of the undersized fish that we suffer most from it is along by the east coast from Balbriggan, away up around there, where farmers themselves have immense long seine nets, which sweep right out and take in tons of immature fish.

1819. The farmers do?—Yes, it is a regular thing.

1820. For the purpose of selling them?—Yes, they send them up to market. I have seen dozens of boxes come up.

1821. You spoke of turbot 2 inches long?—Yes. I have seen them.

1822. Is there any sale for those?—They are really sold all in a big box for a few shillings.

1823. The whole box?—Yes. There will be perhaps some few good plaice amongst them, and the rest will be rubbish.

1824. And the people will buy the box for the sake of the big plaice?—They will first cull them out and throw the rest away.

Mr. Harry Foster—continued.

1825. Then, in fact, the people who get them get nothing for those little fish?—They really do not of any moment—nothing worth speaking of.

1826. How do you think the passing of the Bill will stop the destruction of those small fish?—I think that in fishing there—I have seen them myself pulling them ashore—if they throw these fish back they will be all right there; a certain portion, I do not say all.

1827. They will not trouble to throw them back now, although in effect they get nothing for them?—It means this, if they find they get nothing, or believe that they get nothing at all—I do not know that they get nothing at all; but if they get nothing at all, if they send them up they have all the carriage and the expense of them, they would cull the ones out of them, would they not.

1828. Is it not your experience in the market in Dublin now that trunks or boxes of fish are sold consisting of a mixed variety?—Quite true.

1829. Large and small?—Large and small.

1830. And that in effect the price that is realised is the price of the larger fish, and the rest are, as it were, thrown in?—To a certain extent it is.

1831. That is to say, it may count for a trifle in the price, but very little?—It may count for something.

1832. The effect of making it illegal to send these would prevent these being sent into the market, because it would make the seller liable to a penalty?—True.

1833. But it would not restore life to the dead ones?—No, it would not; but I do think that they knew they were liable to a penalty and would either leave them there, or, if there were any received, they would throw them into the water.

1834. They would be liable to a penalty for selling them?—For offering them in any way for having them even in their possession.

1835. For sale?—Yes.

1836. The Bill does not make it penal to have them merely in possession, but for having them in possession for sale?—Quite true.

1837. Might not the result of that be that instead of sending those below the prohibited size they would simply be thrown away?—It might, of course. You cannot make a man careful if he will not be, but the tendency will certainly be for an ordinary careful fisherman to throw them right back.

1838. Is it not to-day, apart from this Act altogether, to the interest of the ordinary careful fisherman who looks a little bit to the future, to throw back into the sea a fish if it is alive, for which he will get nothing?—Yes. I do not know that the ordinary fisherman looks to futurity at all, but if he knows that he is likely to be prosecuted for tendering for sale, he takes precious good care not to have them in his possession, and he would be more inclined to throw them overboard.

1839. Do you think he would be inclined to look any more to futurity because of this Bill?—I think he would, because he finds that if by any carelessness on his part they become part and parcel

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Sir T. D. PILE.

[Continued.]

Mr. Harry Foster—continued.

parcel of his box of goods tendered in the market he will be liable to be fined for them, and he would be careful to see that they were chucked overboard.

1840. That is to say, he would take care to dispossess himself of them?—Quite so.

1841. So far as the purposes of sale are concerned?—Quite so.

1842. Do you think the exclusion of these fish under the size limit of this Bill would affect the price of fish?—I do not think it would materially.

Mr. Hurry Foster—continued.

1843. Not under the size you recommend, but under the sizes of this Bill?—I think under the sizes of this Bill that as regards Ireland—I will not speak for any other part—there are fish of that size which are a marketable commodity and good for food.

1844. That is what I understood you to say, therefore the effect of keeping out of the market a certain quantity of marketable fish?—Would have that effect.

1845. Would generally increase the price of the remainder?—It frankly would.

JAMES SYDENHAM, called in; and Examined.

Chairman.

1846. You are a fisherman, I understand, at Brixham?—Yes.

1847. What sort of a fisherman—a trawler or a line fisherman?—A trawler.

1848. Do you own a trawler yourself?—Yes.

1849. More than one, or just one?—Two.

1850. Where do you fish?—In the English and Bristol Channel.

1851. Where you do fish are there local bye-laws prohibiting trawling within the three miles?—In Start Bay we are not allowed to go, and Teignmouth Bay and Tor Bay.

1852. But you are allowed to go elsewhere?—Yes.

1853. I believe you wish to express your opinion upon what would be the result if this Bill were passed into law. What is it?—I have not had much time to get very much evidence. I am a practical fisherman.

1854. Have you got an opinion to express about what would be the result if this Bill were passed?—My opinion is the limit is too large.

1855. What limit would you suggest?—I should think six inches for the sole and plaice. I do not think there is very much difference in the turbot and brill from the ten inches.

1856. Is it your view that it would be a good thing to stop the destruction of fish that are too small?—Well, some of it.

1857. In your experience has the quantity of flat fish been decreasing lately?—Yes.

1858. What do you attribute that to?—Well, we know where there is plenty, but we are not allowed to go after them.

1859. By that you mean you are not allowed to go into these bays that you have told me of?—Yes.

1860. Has the effect of stopping the trawling in those bays been according to your view to increase the fish in these bays?—No, I do not think there is so much there as there used to be.

1861. I do not quite understand your last answer. I asked you if the supply of flat fish had been decreasing, and you said "Yes," and then I said "Why"; and you said you know where they are but you are not allowed to go after them?—Yes.

1862. Then you tell me next that the fish in those prohibited areas have also decreased?—Yes. There is twice as much fish in the bay as there is out in the offing.

1863. That is to say, the bay is a better place now than outside, you think?—Yes. There is more fish there; there is not very much outside.

Chairman—continued.

1864. Has the effect of protecting the bay been to increase the fish in the bay?—I do not think so. I think if the bay was trawled over there would be more fish come there.

1865. You think if you were allowed to trawl in the bay you would increase the supply of fish in the bay?—Yes.

1866. How is that consistent with the diminution of fish outside? Why do not your trawling operations increase the fish outside?—I could not tell. There is not very much outside.

1867. But you see your point is a little difficult to understand. I could understand it if you thought that the bay was a preserve where there are a great many fishes, because you are not allowed to trawl; but, as I understand your evidence, you say you think if you were admitted to the bay you would really increase the number of fishes there?—We should have more plaice—more flat fish.

1868. You would get more; but after you had done would there still be more there?—I think so, at certain times of the year.

1869. If in your view trawling is really good for the increase of fish, how do you account for the diminution of fish outside the bays?—I could not say. We do not get half so much fish as we used to up in the bay either, but there is more in the bay than there is outside.

1870. If you do not get half so much fish as you used to—take outside, without the question of the bay—what do you attribute the diminution of fish to outside?—I could not say. I am not scientific enough to know that.

1871. Do you think the destruction of too small fish has got anything to do with it?—Well, they tell me there is a quantity of small fish pulled up in these long seines. I have never seen any.

1872. Do you think the destruction of very small fish is a good thing or not?—I should think so—the very small.

1873. You think it is a good thing to destroy them?—Well, it is like this. The inshore fishermen destroy all the small fish—tons of it.

1874. Do you think it is a good thing for fish in general that the small fish should be destroyed or not?—Oh, no, you would not get any big if you destroyed all the small.

1875. Do you think it is a good plan that some legislative remedy should be devised for preventing the destruction of small fish?—There ought to be something done.

1876. Do

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[Continued.]

Chairman—continued.

1876. Do you think that preventing the sale of very small fish would make it not worth while for people to catch them?—Well, we have a lot of local buyers at our place that buy the small fish.

1877. That is not an answer to my question. Do you think that preventing the sale of small fish would prevent the incentive to the fishermen to catch them—would prevent the fishermen being likely to catch them?—You could not stop them from catching some when your trawl was down.

1878. You could not stop him catching?—Catching small and big together.

1879. Are there parts of the sea in your knowledge where small fish are more common than big?—No.

1880. There is no difference?—No.

1881. There is no difference in any of the parts that you go round as between small fish and big?—No.

1882. What is the smallest fish that you get a market for?—About 6 inches.

1883. Below that, not?—Well, we pick up plenty of small, but we do not land them. We throw them overboard.

1884. Do you go anywhere beyond the Bristol Channel and the English Channel?—No.

1885. What is the size of your boat?—50 tons.

1886. A steamer or a sailing boat?—A sailing boat.

Mr. Pretyman.

1887. You said that you did not think there were so many fish in the protected bays as there used to be?—No, I do not.

1888. But you are forbidden to trawl there. How do you know that?—Well, we know that because there have been plenty of men summoned a few years ago for going there.

1889. A few years ago is not now?—Our men are not allowed to go there.

1890. That is, when it was first protected?—Yes.

1891. But have you any real means of knowing whether there are more fish there now than there were before they began to be closed?—Well, we have a small class of craft which goes there.

1892. What to do?—Trawling.

1893. But they are not allowed?—They have a shrimp trawl, and go there.

1894. They are allowed to trawl there with shrimp trawls?—Yes.

1895. In the protected areas?—Yes, if they are not caught.

1896. You have not got very much evidence as to the quantity of fish there are there now, have you?—No.

1897. It is principally guesswork, I suppose?—I do not know. They go sometimes with an 8 foot beam, and they used to get them before—the small craft—and they would get them now if they were there.

1898. As a practical fisherman, you say there is a great deal of destruction of small fish along the coast by the seine netters?—Yes.

1899. When a seine is hauled in I suppose nearly all the fish are alive, are they not?—Yes.

Mr. Pretyman—continued.

1900. It is not like a trawl that has been down. When you are trawling you keep the net down how long?—Four or five hours, and the tide goes.

1901. Do many small fish come up alive in the trawl.

1902. Yes?—No, not very many.

1903. They are mostly dead?—Mostly.

1904. But in a seine net they would all be alive practically when they were brought in except one or two?—I have seen them there when they have died on the beach, when they have gone bad.

1905. When they are left on the beach when the net is actually hauled in the fish are alive?—I have never pulled one in myself do not know. I have seen one on the beach.

1906. There would be no reason why they should be killed in hauling in a seine net, far as you know, would there?—No, there would not be if they let them go again; but it would not do that if they wanted them for other purposes.

1907. What other purposes?—For manure and other things—this poor class of people do that is what they catch them for in Start Bay.

1908. They catch the little fish for manure?—Yes.

1909. Do they use them for bait for the lobster pots?—Bait and manure.

1910. Do you think if they were forbidden to have them for sale they would still go on using them for bait and manure?—Yes, they would.

1911. But you think it would be very desirable to stop this destruction, do you not?—In seines.

1912. You think it would be for the benefit of the fishermen to stop this destruction of small fish?—Yes. We think if they ought to catch them we ought to catch them.

1913. So do we. You understand in this there is no question as between different fishermen?—No.

1914. It is simply to prohibit the sale of very small immature fish. You understand that?—Yes.

1915. You think a large number of these fish are used for manure and bait?—Yes.

1916. If the sale was prohibited only, they would still probably go on using them for manure?—I think they would try to smuggle a few fish if they could get them.

1917. But the Bill only prohibits the sale. If it stands it would not prohibit their being used for manure or bait, but in order to induce these fishermen to throw these fish back and leave them, what do you propose to do?—It is a funny question to put to me. I am only a practical fisherman, and have nothing to do with what they would do or would not do.

1918. I think, as a practical fisherman, you are the very man who should know?—Not as a trawler.

1919. We only ask your opinion as a practical fisherman. As a practical fisherman what do you think would be the most practical way of stopping these small fish from being landed?—They ought to be stopped—the very small fish—the small fish like they catch.

1920. It

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[Continued.]

Mr. Pretzman—continued.

1920. It should be stopped?—Yes.

1921. We know that is your opinion, but would you suggest any further restrictions beyond forbidding their sale?—They should not be allowed to catch them.

1922. How could that be prohibited?—I could not tell you.

1923. I mean something practical. Would you think it a good thing to forbid people being in possession of them, whether for manure or bait, or any purposes of that kind?—I should not like to say.

Mr. George Doughty.

1924. As I understand you, you think that these men that work seine nets and catch very small fish should be stopped from catching them?—Yes.

1925. And as to men that go with small sailing trawlers, of twenty-five tons, say, such as your friend gave us evidence of yesterday, if they catch small fish would you think they ought not to be stopped?—They do not go in there in twenty-five-ton vessels.

1926. I thought yesterday evidence was given that soles were caught as small as six inches. Is that so in your bay?—Not in the bay.

1927. Well, where you fish then?—Yes.

1928. Do you fish on the same ground as the gentleman that gave evidence yesterday?—We join there sometimes.

1929. Between where is it?—From Portland to Eddystone.

1930. What sort of soles do you catch there?—We catch the common sole. We catch three kinds of sole.

1931. What are they?—The thick back, the sand sole, and the common sole.

1932. You adhere to the same opinion he expressed yesterday that there are three kinds of soles to be found amongst that water there?—Yes, in the English Channel.

1933. That is a sand sole, as you call it, a common sole and a thick back sole?—Yes.

1934. Is the sand sole the same as the lemon sole?—No.

1935. Tell us what is the length of the sole generally found in these waters?—The thick back runs from four to six inches. I do not think it ever gets any bigger. He is a very dark colour, and is very thick.

1936. What is the length of the other sole?—The sand sole is bigger than the thick back ordinary sole.

1937. What length would that be?—It would run from six to ten or twelve inches.

1938. It was given in evidence yesterday that the ordinary sole runs about nine inches long, and not longer. Is that so?—Well, we get them down as low as six up to ten or twelve inches.

Mr. Harry Foster.

1939. It was from six to twelve inches?—Yes.

Mr. George Doughty.

1940. Do you ever find any sole in those waters any longer than twelve inches?—You may occasionally.

1941. Do you go into deeper water between the points you have mentioned? Do you go fishing over it?—We go as far as 30 miles off, with 40 or 50 fathoms of water.

Mr. George Doughty—continued.

1942. Do you find a bigger sole there?—We do not find so many.

1943. Not as many, but are they larger?—We do not get very many off there.

1944. I am not asking about the number, but as to the size. Are they bigger soles?—I say we do not get very many off there. We do not get scarcely one for two hauls. It is mostly rough fish—rays.

Sir Cameron Gull.

1945. Have you any authority to speak for anybody besides yourself?—No.

1946. Have you had any meetings at Brixham?—No, not that I remember.

1947. When did you first hear about this Bill?—Friday.

1948. Would you have been able to get us any statistics and figures if you had had longer to look after it?—I might have done. I should have been at sea perhaps.

1949. Do you get in your catches a large quantity of small fish?—Well, we get, I should think, 70 or 80 per cent. of small fish.

1950. What I call small fish are fish under the sizes named in the Bill, that is, 8 inches and 10 inches?—Not so many of that size.

1951. Do you know at all what you get?—You may get 20 or 30 per cent. of small fish under the size—under the 6 or 8 inches.

1952. Is there any particular place where you do get them, or do you get them wherever you go?—There is not much difference in our ground. Very nearly all the fish is alike unless you go a long way away to sea—then it is all big.

1953. Where you fish you get a certain amount of good sizeable fish, and a certain amount of small fish?—Yes.

1954. Is the small fish mostly dead or alive?—Mostly dead.

1955. The very small fish, I understood you to say to my friend, you threw overboard that were alive? Most of the fish you get is saleable, is it? Is there a sale for it?—Most of it you can take for sale.

1956. But is there a large quantity at the present moment that you get which you cannot dispose of?—Yes.

1957. What do you do with it?—Chuck it overboard.

1958. You throw it overboard now?—Yes.

1959. The Bill proposes that if in any box you send up there happens to be one small fish—there is no exception—if there happens to be one fish of a size of eight inches you will be liable to a fine—for the first time of £2, and secondly of £10?—Who is liable?

1960. You will be—the man who caught them. If you offer a box for sale with one of these little fish in it it would be the law that you would be fined the first time £2 and the second time £10?—I am not a salesman: I am the catcher.

1961. You are a catcher probably, but do not you also sell?—No.

1962. You never sell?—No.

1963. What do you do with your fish?—Bring it ashore for the salesman to sell it.

1964. Then you sell it. You are paid for your fish?—Yes.

1965. And you sell it to somebody?—We send it in and the salesmen sell it.

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1966. But

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[Continued.]

Sir Cameron Gull—continued.

1966. But you sell it; you get paid for your fish, do you not?—Yes; we do not give it away, it is true. The salesman sells it for me to the local buyers.

1967. I daresay you are right, but it is a matter for you to consider whether or not you would like the chance of being fined £2 and £10 for one of those fish. But I wanted to come to the point. What do you do with your catch when you get it on deck?—Pick the best of them and throw the rest overboard.

1968. It is all picked by hand and put into baskets?—Yes.

1969. Would there be any difficulty in separating these fish?—We pick out what is the best for our own selves.

1970. Would you be able, without measuring every fish to find out exactly whether the fish is 8 or 10 inches? Would you take any time to do it?—We should want a bit of practice and a few rules on board.

1971. But if you are busy, and have a good haul, would it materially delay your work to have to measure out each fish, or not?—It would, a considerable time.

1972. I understand you to say that you get where you fish good marketable fish under 8 inches—soles and plaice—fish you can get a good market for?—Yes, we sell to the local buyers—the salesman does.

1973. You get something for it?—We get something for it.

1974. Can you tell me at all what number out of 100 fish you bring up to the top alive or dead?—Not very many alive on deck, because we catch a tremendous lot of dirt.

1975. Therefore, though you do now, and it is your practice to throw overboard the small fish which are quite useless, you would not save any more if the Act were passed?—No, I do not think we should save any more—not the small thick backs I was referring to just now.

1976. You would lose a certain part of the money value of your catch through being unable to sell it?—Yes.

1977. And I understand you object to that?—Yes.

1978. As regards the point that has been put about the seine nets, where do these seine nets work mostly?—They work in the shallow water on the beach.

1979. Are they close to the shore?—Very close.

1980. Is not there power in the Devon Sea Fisheries to close that if they like—to make bye-laws?—I do not know. I could not answer.

1981. I understand these seine nets do not work anywhere out, and cannot work where you go out, in deep water?—I have never seen them. I have only seen the fish after it has been dragged up shorewards afterwards.

Mr. William Redmond.

1982. I think I understood you to say in your evidence, just as the other witness from Brixham said yesterday, that the great majority of the fish when the trawl is hauled up is dead?—Yes.

1983. So that if this Bill passes, and it is made illegal to sell a sole or a plaice under 8 inches in length, it will simply mean this—that a great

Mr. William Redmond—continued.

majority of the fish in the trawl under that will be dead, and thrown overboard and wasted. Yes; it ought to be kept for human food.

1984. Pure waste?—Yes, pure waste.

1985. You said, I think, that for soles and plaice of the size of 6 inches you had a local market?—Yes, local buyers.

1986. You are able to dispose of them?—Yes.

1987. So that if this Bill passes you will be for the future unable to sell any fish, plaice and soles, under 8 inches?—Yes.

1988. And if you do so you will be liable to be fined £2, and if you do it twice £10?—Yes.

1989. Do you think that is rather an injustice upon fishermen, and hard lines?—I think so. I think it is very hard.

1990. Do you think it is hard lines for a man who has been out fishing for days and nights in all sorts of weather, if he comes ashore and has a sole 7½ inches long, to be liable to be fined £2?—I think it is very hard.

1991. You think that will not meet with approval?—Not with my approval.

1992. Or do you think it will meet with the approval of a single fisherman in Brixham?—I do not think it will.

1993. Or round the coast anywhere, as far as you know?—I do not think it would.

1994. The very small fish that come up in the trawl under six inches, such as you cannot sell, you naturally throw overboard?—Yes, always.

1995. You do not require an Act of Parliament to compel you to throw overboard very small fish unfit for consumption?—No, we do not want an Act of Parliament for that.

1996. There is no means in trawling of keeping the small fish out of the net as well as the big ones?—No, I do not think there is.

1997. And the majority of the fish, when you pull up your trawl, are dead?—Pretty well.

1998. Do you think if this Act of Parliament passes that the result will be that no sole or plaice under eight inches long will come up in your trawl?—No; they are bound to come.

1999. You think, then, that as long as you can get a market for flat fish, for plaice and soles between six and eight inches long, it would be injurious to the fishing industry to have an Act of Parliament to prevent the sale of such fish?—Above eight inches it would be.

2000. Between six and eight inches?—That is the size we should like to keep in—the limit.

2001. You would like to have the limit fixed at six inches?—Yes.

2002. That you think would satisfy the fishermen in general—a limit of six inches, instead of eight inches, for soles and plaice?—Yes.

2003. You are quite sure, if this Act passes in your opinion that the result will be that the same fish will come into the trawl, big and small?—Yes.

2004. But that if you are unable by law to sell a sole or plaice under 8 inches the majority of them being dead in the trawl, soles from 6 to 8 inches would be thrown overboard and wasted?—Yes, they would be.

2005. If you are not allowed to sell them?—They are bound to be thrown overboard.

2006. Would

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[Continued.]

Captain Sinclair.

2006. Would you kindly say how your fish are sent to market? Describe what happens to the fish from the time they are hauled up on the deck of your boat until they go to market?—They are put in baskets and put below.

2007. Are they sold in the same baskets?—No, they are put on the platform first—put in baskets and put on the platform.

2008. Are they sorted again when they get to market?—No; we sort them on board and put them into baskets.

2009. And then they are sold by the basket?—Yes, by the basket.

2010. Then they are put in boxes?—The buyers put them in boxes and send them away.

2011. Are they sorted again before they are put into boxes?—I could not tell you.

General Goldsworthy.

2012. Do you not think it would be an advantage to you if these small fish were a little larger than they are the present time?—They would be better to be a 6-inch fish than a 3-inch fish.

2013. Do you not think that these 6-inch and 8-inch fish you talk of would grow if they were spared?—How can you spare them?

2014. If they were not caught and wasted?—The question is, how are you going to stop catching them?

2015. If you do not fish any grounds where they are, or if people do not fish any grounds where they are—because there are certain grounds where the immature fish as a rule go much more than others?—You catch them twenty miles from the coast, all about the English Channel—the same size fish.

2016. What is the depth where you work in?—From 25 to 45 and 50 fathoms.

2017. What price is got for the mature fish and what price is got for the immature fish, taking an average?—Our small fish makes about 1s. a basket.

2018. What is the weight of a basket?—About 20 lbs.

2019. What does the large fish make?—The large ones make perhaps 3s. a basket.

Mr. Seale-Hayne.

2020. You are aware there is a Fishery Commission in Devonshire?—I have heard of such a thing.

2021. Who represents you on that Commission?—I do not know.

2022. Surely Brixham is one of the most important places along the coast?—It does not seem so when you are trying to get this here thing.

2023. Do you say that you, a fisherman of Brixham, do not know your representative who is on the Board. Recollect you are speaking to a Brixham man?—Is not Mr. Dyer one?

2024. I ask you who they are?—I am only asking you if that is one.

2025. You must answer my questions, and not put questions to me?—I do not know.

2026. I apprehend that what you would like to do is to trawl in the bays, would you not?—We should a few months in the year.

2027. That is what you are driving at?—Yes.

0.26.

Sir Brampton Gurdon.

2028. How can you tell the difference between a thick back and a sand sole?—One has a bigger scale—the sand sole.

2029. They are the same colour?—I should like to send you gentlemen up a sample of these soles.

2030. Might not a thick back be a small sand sole?—No.

2031. Why not?—Because we never catch any bigger ones.

2032. How do you know they are not small sand soles?—Because there is the distinction between the sand sole and the thickback.

2033. What is the distinction?—One is a ginger colour and the other a dark colour in the back, and it has a bigger scale—the sand sole is bigger than the thickback.

2034. They are a different colour?—A different colour.

2035. A thickback is darker?—Yes.

2036. Then the ordinary sole; what colour is that? That is lighter still?—That is between the two.

2037. Yesterday we were told, I think, that the thickback and the sand sole were both darker than the ordinary sole, but you do not say that? You say the ordinary sole is between the two?—The thickbacks have got dark streaks down them.

2038. Streaks down the back?—Not straight—different ways. You can hardly explain how it is.

2039. When these bays were prohibited the idea was, I suppose, that the small fish would take refuge in them?—I suppose that is what it was done for.

2040. And grow bigger in the bays and then come out?—Yes, I think so.

2041. If it had been effectual I suppose the fish you catch in the open sea ought to have grown bigger—you ought to catch more larger fish?—We ought to catch more, but we do not.

Mr. Harry Foster.

2042. You were asked about the Sea Fisheries Committee in Devonshire. Do you know how long they are elected—those who represent Brixham?—No, I do not.

2043. Do you know where the Sea Fisheries Committee meet?—No, I do not.

2044. They do not meet at Brixham?—I do not know.

2045. You would have heard of it if they met in Brixham?—I have not heard. Perhaps they might have met and I might have been at sea at the time.

2046. You were asked whether you were in favour of preserving these small fish, so that they might get bigger. I suppose every fisherman would like to see little fish grow into bigger fish?—Yes.

2047. The bigger the fish the larger the price you get for it?—That is right.

2048. But you have to get your living in the meanwhile, while they are growing?—Yes, we have to get a living.

2049. Therefore if you get your living by fishing you are obliged to go and let down your net and catch what you can, and when your net comes up it consists of fish of all sizes?—Yes.

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2050. Then

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JAMES SYDENHAM.

[Continued.]

Mr. Harry Foster—continued.

2050. Then, taking the fish mentioned in this Bill—sole, turbot, brill, and plaice—if they are under 6 inches it does not pay you to take them ashore now?—Yes, it does. There would be a small market not very much. They would make something.

2051. Up to what size? What is the lowest size for which you could get anything at all?—We take ashore a 4-inch sole.

2052. A fish over 4 inches would get you something?—Yes.

2053. But very little, I suppose?—They are fit for poor people to eat who cannot afford big fish.

2054. Mostly for the poor?—Yes.

2055. Who could not afford to buy a bigger fish?—Yes.

2056. They get it for a very low price?—Yes.

2057. If this Bill were to pass you could not sell that fish?—Well, there would be hundreds of people who would not get enough fish to eat, because they could not afford to buy it.

2058. Would the effect of passing this Bill save the life of any of these fish, so far as your business is concerned?—I do not think so.

2059. Can you imagine how it would save

Mr. Harry Foster—continued.

their lives at all?—I could not see how it would not in the English Channel.

2060. If you were not allowed to land and take these fish under eight and ten inches, would that be the means, so far as you can see, of preserving the life of any of these fish?—No very few.

2061. And increasing the food supply?—Very few would be saved with life in them.

2062. Would it prevent your going anywhere to fish where you go to-day?—No, we cannot go anywhere else, not with the class of vessels we have got.

2063. How long have you been fishing?—Thirty years.

2064. In your experience of fishing do you find that the fish divide themselves into classes, and that the little fish go to one place and the big fish to another?—I do not know.

2065. Have you ever found that?—I do not know.

2066. Do you know any spot over which you have fished where the little fish abound and where the big fish are not to be found?—No.

2067. So that, so far as the letting down of your nets is concerned, you would still go to the same place and get as many marketable fish as you could?—Yes.

Mr. CHARLES HELLYER, called in; and Examined.

(The Witness exhibited a number of plaice.)

Chairman.

2068. Did you get these from a trunk which you bought?—No. I got one of the salesmen in Billingsgate to get me a sample of the fish that is being landed to-day by a company which have twenty-seven steam trawlers working this ground.

2069. Which ground do you mean?—To the south of the Horn Reef—between the Sylt light and the Horn Reef; about what we call the Vyl Buoy. What we contend is this: These are the largest. Two to one at least have been thrown overboard much smaller sized.

2070. These particular fish were sold at what price?—They averaged 7s. a trunk this morning.

Mr. Harry Foster.

2071. Who was the salesman?—The salesman of Messrs. Kelsall's Company.

Sir Cameron Gull.

2072. Were these picked out or taken just as they were?—Taken just as they were.

2073. Does the whole box consist of fish like this?—Except a few larger ones. The box is a certain width, and they try to get a few larger fish to contain the others with the string that goes across, and when they cannot get sufficient large for this purpose all the rest must go overboard.

2074. Here is a typical example: One-half of these fish, if the Bill is passed, are allowable to be taken and the other half are not allowable to be taken, and you could not say without a measure which fish is which?—No, but in this particular

Sir Cameron Gull—continued.

ground, of course, they know they are going to catch that class of fish.

2075. You say you have some big ones?—Yes. I say some are a little larger to contain the others—not large fish.

Mr. Harry Foster.

2076. Do you say they know they are going to get that particular kind of fish?—Yes.

Mr. George Doughty.

2077-8. In order to get one box of these fish what is the number of fish that has to be thrown overboard. About two boxes for one, at least?—Yes, for the want of sufficient large fish to contain them in the box.

Sir Cameron Gull.

2079. Alive or dead?—On this ground a fair proportion are alive when they are brought in, because the fish are so thick that the hauls must necessarily be shorter, and a greater proportion of these are alive when they are brought on deck, I mean.

Mr. Harry Foster.

2080. When they are thrown overboard?—The fishermen vary in that respect.

Sir Brampton Gurdon.

2081. Are all these fish saleable?—Yes.

2082. Would you call that (pointing), as the Lord Mayor of Dublin did, a good breakfast fish? It is a little longer?—There is no other city

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Mr. HELLYER.

[Continued.]

Sir Brampton Gurdon—continued.

city or town, I believe, in which these fish can be sold except London, because there is the convenience of cheap carriage—2s. for about 1 cwt.

Mr. George Doughty.

2083. That is water carriage?—Yes. You could not send them from a seacoast town to an inland town and bear the risk of the carriage and then the fish show a profit.

Chairman.

2084. I think we have the practical price that those actual fish were selling for—7s. a trunk. How many were there in that trunk?—Four hundred and ten in that trunk. It was not quite full.

2085. Can you tell us how many of what you call the bigger fish, which, as you say, contain them there were in that box?—I did not see this

Chairman—continued.

box myself. I got a letter from the salesmen, and I will read to you what he says about it. He says:—"I am sending sample of Messrs. Kellsall's plaice. The box cost 12s. It had 410 fish in it. They would average between 400 and 500. This one we had counted was not quite full. A box of good plaice would average between three and four dozen fish." That answers your question. You asked me how many good fish would be in a box.

Mr. Harry Foster.

2086. Not in a box—in that box?—I did not see that.

Sir Brampton Gurdon.

2087. Are these fish brought straight to London?—Straight to London from the fishing ground by water.

2088. They never go by train?—No.

Thursday, 28th June 1900.

MEMBERS PRESENT:

Mr. Ritchie.
Mr. Vaughan Davies.
Mr. George Doughty.
Mr. Harry Foster.
General Goldsworthy.
Sir Brampton Gurdon.

Mr. Seale-Hayne.
Mr. Graham Murray.
Mr. William Redmond.
Mr. Rothschild.
Captain Sinclair.

THE RIGHT HONOURABLE C. T. RITCHIE IN THE CHAIR.

Mr. CHARLES HELLYER, again called in ; and Examined.

Chairman.

2089. I WANT to ask you a few questions. I want to know exactly what your qualifications for giving evidence are ; and then I do not know whether it is on the Notes, but if not, I should like you to tell us exactly what your official positions are with regard to this question?—I may say that in my person I represent three generations of fishing vessel owners. My family originally belonged to Brixham, in Devonshire. For some years previous to 1856 my father in the winter time used to go in the North Sea to fish with his vessels. In 1856 that method was found to be so inconvenient that my family migrated from Devonshire to the North Sea, and took their residence at Hull ; and at that time the fishing vessels trawled from about 40 to 60 miles from the Spurn, and every morning a flag vessel hoisted a flag at its mast head, which intimated to vessels in the neighbourhood that he was the carrier for that day ; and these trawlers boarded their fish on that carrier, and the fish was brought to Hull. In the summer time they had to go a greater distance and fish off the Texel on the Dutch coast. Messrs. Hewitts at that time had an established fleet sailing from London, at least from Barking in the Thames ; and I believe they had a small quantity of ice from Norway, and our vessels used to board their fish on the London carriers, Messrs. Hewitt's vessels, and the fish was brought to the London market.

2090. I do not think it is necessary to enter into minute details with regard to that matter?—In 1860 ice was introduced to Hull, and from that time the vessels worked on the single-boat principle ; and with the facility of ice they were enabled to do greater distances for their catches of fish until in 1868, and down to 1875, these vessels fished from the Texel down to the Horn Reef in the summer season, on the east coast, until in 1878 and 1879 the business had become to be in a very bad way. Owing to the distances that the vessels had to go for their fish, it was brought in in very bad condition.

2091. I do not think that it is material for us to know all these details?—It is simply to show you my experience.

Chairman—continued.

2092. Exactly ; but may we take it that your experience extends over a considerable area and over a considerable period?—Yes. For the last forty years I have been connected with all the movements of the fishing business from Hull up to the present time.

2093. And you have been President of the Hull Fishing Vessels Owners' Association?—Until last year.

2094. How many steam trawlers are enrolled in that Association?—About 300.

2095. You have also been Chairman of the Humber Steam Trawlers Insurance Company?—Yes, till last year.

2096. And you are also Vice-Chairman of the Hull Ice Company?—That is so.

2097. And a Director of the Hull Steam Fishing Company?—Yes.

2098. Managing Director of Hellyer's Steam Fishing Company—Yes, who own 25 steamers.

2099. You are able to speak, are you not, to this particular point, namely, whether the legislation of the kind which we are now considering is passed, the effect would be that the trawlers would avoid the grounds where the small fish are caught?—Undoubtedly.

2100. You are not speaking merely from theory, but as the owner of many steam fishing vessels, and as holding official relations with other associations which have large numbers of steam trawlers who trawl in the North Sea?—Yes.

2101. And off the Dutch coast?—And further, the whole of my livelihood having been connected with the fishing, I have been a keen observer of all these changes which have taken place as to the abundance and as to the scarcity of the fish, and I am quite convinced that from the Texel Light to Horn Reef, which means about 300 miles of coast line, running off at about 20, 30, or 40 miles, where these immature or undersized fish abound, is a natural nursery, an unique nursery, for the supply of fish to the North Sea.

2102. Precisely ; that confirms the evidence we have received upon that point ; but the particular point that I want you to speak to us about

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Mr. HELLYER.

[Continued.]

Chairman—continued.

about is, what reason you have for expressing the opinion that if this Bill were passed trawlers would avoid that ground?—There is a certain market for these undersized fish in London only. We have arranged to have a box of these fish here, if the Committee would like to see them.

2103. Yes; but may we take it that that is a ground where large quantities of these fish exist? That, I think, has been conclusively shown by evidence, and therefore I do not know that it is necessary to enlarge upon that point. What I want to know is what reason you have for asserting that if this Bill were passed steam trawlers would avoid these grounds?—It would not be worth their while to catch the fish.

2104. But we have evidence to show that at certain times these fish, when brought to the London market, are destroyed because of the want of a market. If that be so, what reason have they now for going to that ground?—It follows with all fish at times when the market is glutted that that fish is destroyed for want of a market; not for the want of its saleable quality.

2105. Precisely. Then it is only in times of glut that these fish are destroyed?—That is so.

2106. Do you think that you are able to speak for the steam trawling industry generally?—Yes, I am.

2107. That if this Bill were to pass, the trawlers from this country would not go to that ground?—And further than that they would hail it with pleasure, because the fishermen themselves are fully aware of the damage that they are doing to the fish in the North Sea; but owing to competition, and the necessity to get a livelihood, these men are tempted, seeing that the market exists, to go and catch this fish; but they would rather that it was prohibited. There are more reasons, I may say, if you will allow me, which operate in denuding the sea of fish. That is by the seine net—the drag seine net. All around the coast of England and Wales where the shore is suitable, with a beach or beachy in nature, so long as there are not precipitous rocks, inhabitants of the shore own seines. They may be farmers or labourers, and in certain seasons of the year they use these seines and drag the fish ashore, and probably they will pick a basket full out of some hundreds of undersized and immature fish, and the rest are destroyed and used for manure and other purposes of that nature.

2108. On what parts of the coast is that?—All round the coast—especially the south coast.

2109. What is a seine net?—It is many hundreds of yards of netting, having corks on the top edge and some small pieces of lead at the bottom, and it goes from the shore and is taken out by a boat, and forms a wide half circle, and the two ends are drawn in, until when you come within about a fathom of water the bottom touches the ground and scoops in all the fry and everything until there is a great heap of this stuff cast on shore.

2110. I have often seen that kind of fishing going on in the Tay—the broader part of the Tay. Is that similar?—I daresay it is. It is a convenient method for the inhabitants of the

Chairman—continued.

shore to get a certain quantity of fish, and by so doing they destroy a large quantity of small fry. That is a very great source of depletion of the seas, no doubt.

2111. We have had evidence here from fishermen from Lynn to the effect that there is a particular kind of sole in that district which they now catch, and which never grows to an ordinary sized sole, and that if this Bill were passed a large portion of their livelihood would disappear. Can you give us any information about that?—I have never heard in the whole of my experience that there are two kinds of sole in the North Sea—that, is the sole proper. We have the Mary sole and there is the thick back, caught down the Channel and in the Bay of Biscay, which is a different species altogether from the ordinary sole.

2112. We have also heard evidence from fishermen from Brixham to the effect that it would materially interfere with their livelihood if this Bill were passed. Have you any knowledge upon the subject?—Yes. I know Brixham well. I am interested in Brixham, and my family are also very largely interested in Lowestoft in the fishing interests; and there is no doubt in any particular locality if there be a market for undersized fish the men might feel it a hardship. I can quite understand they would feel it a hardship to be deprived of a certain amount of these fish, but the question seems to our minds to be a wider question than the interests of a few individuals; it is a question of the food supply of the nation in the shape of fish, and it is a very important question, I think.

2113. Do you believe these fishermen themselves would ultimately benefit by the increased size of the fish?—Certainly.

2114. That although there might be some damage it would be a temporary damage?—Decidedly.

2115. You are very clearly of that opinion?—Yes. Speaking more especially of the North Sea area, we know with regard to the ova of the fish all over the North Sea, in a very large area, owing to the eastern current and the prevalence of westerly wind the whole of that spawn drifts on to the eastern shores from the Texel to the barrier of the Horn Reef. The Horn Reef runs off from Blaavand Point, about 25 miles, and makes a complete barrier, which prevents these ova from being carried up the Sleeve, and it crowds upon the shore, and when the spring time comes and the sun begins to shine these mature into life and then gradually work off from the beach into deeper water, according to the stage of their existence, and we find on the south side of the Dogger Bank these same fish grown to slightly under half-sized plaice and half-sized soles. We never find them anywhere else, and therefore we can trace the life of that fish from the spawn to the mature plaice. It is a marvellous arrangement of the North Sea, and I could point it out better on the chart to the Committee, if you would allow me. I have a chart here.

2116. I think it is not necessary to have that?—It is a very interesting study, especially at the present time.

2117. You

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Mr. HELLYER.

[Continued.]

Chairman—continued.

2117. You are quite clear the effect of this Bill would be good?—I might say at this point that this decrease in the fish of the North Sea has not taken place during the introduction of steam vessels; it took place before the introduction of steam vessels a considerable time, through the fishing on shores where the natural habitat of these undersized fish is. I want it to be quite clear to the Committee that this decrease took place some years before the introduction of steam trawlers.

2118. You believe the effect of this Bill would be to increase the supply of mature fish?—Very much. At the same time I would like to say that we would like that this should be only a tentative measure—that is, we believe the wisdom of the powers bordering the North Sea will see eventually that it will be wise to have a closed area, especially on the east side of the North Sea. That, of course, must be international.

2119. But pending that you are strongly of opinion that legislation of this nature ought to be passed?—Yes, we have advocated it for about 18 years.

Mr. George Doughty.

2120. I wish you to make your opinion quite clear to the Committee as to whether to-day any vessels go to any point of the North Sea or any other place for the purpose of catching small fish?—Yes, they do.

2121. Do they go for the purpose of getting small plaice?—Not small plaice alone; as a rule the turbot and the brill and sole have congregated with the small plaice, and they get a box of prime fish amongst the small plaice, and that with the small plaice helps the catch.

2122. If they were prevented from selling small plaice, would it pay them to go there to get this proportion of prime and other fish you speak of?—No.

2123. May I take it then that you wish the Committee to understand that vessels go into this area for the known purpose of catching small fish?—That is so.

2124. Are there very large numbers of vessels that for months together do nothing else but fish for these small fish?—There have been in years gone past, but this matter has come so prominently before the notice of the fishermen that they are imbued with the sense of the injury to themselves, and for some years there has been an unwritten agreement to keep away from it as much as possible, and there are really no Hull vessels fishing there this year, except the one fleet which migrated from Fleetwood to Hull and now have their headquarters at Hull. This year, since April 21, that fleet has been working between the Horn Reef and the Sylt light, and they have sent to the London market 4,000 tons of undersized flat fish. I calculate that for every one box of fish sent to the market five or six boxes have been thrown overboard for the want of sufficient containing fish to send them to market.

2125. Do the steam trawlers fishing in this particular area capture the same quantity of small plaice there as they did five or six years ago?—No. I should correct that. I should say they are not caught over such a wide area.

Mr. George Doughty—continued.

2126. That is not an answer to my question. What I want you to answer is, do the steam trawlers fishing there now get as much fish per night as they got say five years ago?—No.

2127. Can you give any reason for that?—In general decrease, I presume. There are not many plaice or soles in the North Sea to produce the spawn to be carried to that shore.

2128. Do you think there is as much small plaice at Horn Reef and the district you speak of now as there were five years ago?—No.

2129. Then your opinion is over-fishing has not only decreased the quantity of large fish, but has decreased the quantity of small fish in the fishery nurseries?—That is so.

2130. Is it possible to go to any fishing grounds and fish without catching a good proportion of small fish?—The grounds generally do not produce small fish in the North Sea.

2131. Take the Dogger bank for example. Do you get a lot of small fish on the Dogger bank?—No, only to the east of the Dogger bank.

2132. Speaking generally of all the deep-sea fisheries in the North Sea, if they abound at all with fish, is that fish pretty well grown?—Yes, that is so.

2133. Is there any of this very small fish which is provided for in this Bill?—A very small proportion indeed. Of course, you can catch fish anywhere without catching some small fish, but the quantity is not noticeable.

2134. Do you think that the provisions of this Bill, namely for the punishment for the sale of small fish, will prevent it being caught?—I think so in such distinct areas.

2135. What you want us to understand then I suppose is that the great fish nurseries of the North Sea should be protected in some way?—That is so.

2136. And you think under the present circumstances this is the best way by which they could be protected?—That is so, as a temporary measure.

2137. What is about the depth of water on these various coasts to which you refer?—The vessels can go right in to the beach, and call it, in two and a half fathoms of water, and if the wind is favourable they shoot their gear and tow off. These immature fish always did exist on that coast, even when we had large fish, but at that time the vessels had no need to go so near to the coast to catch the fish. Therefore they got the larger fish. At that time these immense quantities of undersized fish existed, but there was no necessity to catch them.

2138. You are, I understand, chiefly interested in fishing on the east coast of England?—Fishing in the North Sea, and at Iceland, and at Faroe Bank, and sometimes the Bay of Biscay.

2139. All the fish you have to do with at Hull does not come out of the North Sea?—Not altogether.

2140. But it used to, did it not?—It used to.

2141. Why have you gone further afield?—Because the greater power of the vessels has enabled them to search for fresh grounds, and whenever a new ground has been found suitable for fishing there has always been abundance.

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Mr. HELLYER.

[Continued.]

Mr. George Doughty—continued.

dance of fish there. When we first fished on the Dogger Bank the fish were not fit to eat that we caught. They were what we called "elephant's lugs"; they were so thin that you could take a large plaice up by the head and shake him about like a sheet of paper, but after we fished there some time these fish got to a very fine quality, so that we have decided that the trawling over the ground up to a certain point is beneficial for the fish life of that ground, but after a time a damaging effect takes place as to the quantity.

2142. I suppose because of the scarcity of fish in the North Sea the fishermen have been obliged to find out other fishing grounds?—Yes, that is so; it has compelled fishermen to be adventurous, and we have gone out further.

2143. Therefore, the statistics that the Board of Trade published of the quantity of fish in England sold last year does not represent fish brought from the same area as it did ten years ago?—Not from the same area—only to a very small extent.

2144. Do you think there is anything like the same proportion of fish drawn from the North Sea that there was ten years ago?—No, and, further than that, from the new grounds it does not bring the same result. Taking it as a whole, I have made a rough calculation as to the result of the vessels fishing. At the present time we have in Hull 370 steam fishing vessels, and we calculate that a steam fishing vessel is equal to six sailing trawlers, and that gives 2,220 sailing trawlers as belonging to Hull to-day. In Grimsby there are about 430 steam fishing vessels, and on the same calculation it gives 2,580 sailing vessels, which is a total of 4,800. That is in comparison to 1,000 sailing vessels in 1878, so that we have increased almost five times since 1878 in the catching powers. The catch of the sailing vessels from 1868 to 1875 was about 160 tons per annum; the catch of a steam trawler in 1899 is about 270 tons per annum. Eight hundred steam trawlers at 270 tons per annum produce 211,000 tons, or 4,220,000 hundredweights, whereas if they had caught in the same proportion as the sailing smacks did from 1868 to 1875 the quantity would have been 768,000 tons, or 15,360,000 hundredweights. I think that is a very clear statement as to the decrease.

2145. I suppose the East Coast or the Humber ports are much more interested in the fish supply of this country than any other ports on the coast, are they not?—I should say that the fishing vessels from the Humber ports represent about half the catching power of England and Wales—the produce of the fishing vessels is one-half that of England and Wales.

Captain Sinclair.

2146. That is Hull and Grimsby?—That is Hull and Grimsby.

Mr. George Doughty.

2147. What is the number of tons for the south coast?—I cannot say without looking at the Board of Trade returns. I believe it is about 366,000 hundredweights.

2148. Are these the figures: The south coast 0.26.

Mr. George Doughty—continued.

28,675 tons, the west coast 39,497 tons, and the east coast 126,000 tons?—Yes, I daresay that may be so.

2149. Then the east coast of England, especially Hull and Grimsby, are much more interested in this Bill than any other portion of the coast?—That is so, and Lowestoft.

2150. Have you any knowledge of Lowestoft at all?—Excepting that my family have very large interests there in the fishing vessels.

2151. Do you think, so far as your family is concerned, they would have any objection to this Bill?—Not at all.

2152. They do not think it would be ultimately an injury to the trade?—No, an ultimate benefit.

2153. They believe it would be a benefit?—Yes. I would just say, in further reply to that last question, that my father, who, I should say, has the greatest interest of any man in Lowestoft, has been strongly in favour of this for some years.

2154. Could you tell us what you think is about the quantity of fish which is thrown overboard per trunk to that which is brought to the market from these nurseries and other places?—From the east coast—from about four to six boxes for one—about five times for one.

2155. I will put it in another way. A box of small plaice weighs six stones, does it not?—Yes—that represents thirty-six stones.

2156. A box of small plaice landed represents six stones?—Yes.

2157. Do you think there is thirty-six stones thrown overboard to get that?—No, thirty-one or thirty stones.

2158. Thirty stones thrown overboard to get that one box of fish?—That is so.

Mr. Rothschild.

2159. You a little earlier in your evidence said that these six boxes that were thrown overboard were thrown over because there were not sufficient of what you call "containing" fish, that is to say, larger fish which could be placed on the top of the box?—That is principally the reason.

2160. What is the proportion of these containing fish per box, and what average size are they?—I cannot answer that question directly, because it varies in a few miles one day from another. On one day there will be more fish of the larger size than another day, so I cannot give a direct answer.

2161. I do not think you quite understood what I meant. There is a general proportion of containing fish per box and small fish as it comes to the market. I was not asking what the catch was. I wanted to know how many of these containing fish were placed by the fishermen in the boxes for sale, and what size they were?—As I said before, it varies according to the number of the larger fish that come up in the net on that particular occasion, but to be able to send a box of undersized fish they require probably eight or ten containing fish.

2162. There are besides those, I think you said, about 400 small fish?—Yes.

L

2163. You

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Mr. HELLYER.

[Continued.]

Chairman.

2163. You used the word "containing" fish. Does that mean that they are put on the top?—Yes.

2164. In order to make people believe that they are all that size?—No. A box is about 23 inches long and 13 or 14 broad and 8 inches deep, and on the top there are two side pieces running longitudinally that way (*illustrating*), and they pass a string across the open space to keep the fish from falling out.

Mr. Vaughan Davies.

2165. Have you been on board a trawler during the fishing operations?—Yes, I went several voyages in sailing trawlers to learn that part of my business.

2166. When you hauled your net up the men on board separated the fish, did they not?—Yes.

2167. Do you think during that time if they were to throw the small immature fish into the sea that they would live?—If they had strong life they would. It does not follow because there is life in a fish that it will live when it is thrown into the sea, but if they had strong life they would.

2168. What percentage of these fish do you think would live now from your experience?—It varies very much according to the length of the haul and the ground they are working in. On the other side—on the east side, the ground is clean and it is hard, and owing to the quantity that the vessels are enabled to catch at one time they have to make short hauls. If they trawl along five or six hours and the fish is thick, they break down all their masthead gear with the weight of this solid mass of undersized fish; therefore they are compelled to make a short haul. Under those circumstances a great proportion of the small fish is alive when it goes overboard.

2169. One of the strongest objections against this Bill from the fishermen is that when they haul up these small fish they are dead; and, therefore, this Bill would be perfectly useless so far as retaining or getting more fish in the sea?—Of course, what I have said about the east coast does not obtain in many other parts of the sea. It is muddy ground—what we call slushy ground. Of course, that goes through the meshes into the net, and, besides, the fish being suffocated with water it is suffocated with mud.

2170. You cannot give the Committee any idea of what the percentage of these small fish is that are likely to live if they are at once thrown over?—They vary under all conditions. There is no one who could say what proportion would be alive.

2171. Do you think it would be better to have a larger mesh to these nets so that these small fish could work their way through?—The size of the mesh makes no appreciable difference in catching small fish, especially flat fish, because the power of the vessel necessitates that she should travel over the ground from $2\frac{1}{2}$ to $3\frac{1}{2}$ miles an hour, and by the strain of that great net at once there is a column of resistance set up by the solid part of the cod end, and as the weed and the fish come in, that column increases, and it causes a great strain

Mr. Vaughan Davies—continued.

between the net and the vessel. The operation of that is to stretch the net and to bring the meshes together so that the mesh does not lie open in the part of the net where the fish could escape, except in the upper part, which we call the square, or the back, which is formed to filter a little. Of course, the fish are not up there.

2172. They are all down?—Yes.

2173. Then you think that making the mesh larger would not have the desired effect?—I should effect whatever, I am afraid.

2174. It has been suggested by fishermen instead of stopping them catching these fish, rather, stopping them making use of them. The mesh should be increased so that these fish should be able to escape?—It would make a difference under modern conditions of fishing because, owing to the meagre quantity of fish that exists in any part of the North Sea, it is necessary for the fishing vessel to go at a slightly increased speed to get over more ground, and that means the drawing tight of the net. The practical way fish can escape from a net is in the hauling operation, when they do not get to the bosom of the trawl in time over the rail quick enough. Then it flows out of the mouth of the trawl. That is the only way fish can escape.

Mr. William Redmond.

2175. We had two practical fishermen from Brixham up the other day, and they both gave evidence that 90 per cent. of the fish in the trawl were found dead when brought on deck. What do you think of that?—As I have already said, the grounds vary considerably, and the ground on the east side of the North Sea is better ground. Owing to the quantity of small fish that we catch the hauls have to be short, and a greater proportion than 10 per cent. will be dead when that fish comes in, whereas on the west side of the Dogger Bank the ground is better, as we call it, with dead oyster shells and so on, a matter of all kinds that kills the fish, and the fish are suffocated, independent of any other cause you are fishing on. For fish as a rule are drowned in the net.

2176. I know they spoke of dirty ground, but on average ground—you have had experience—what percentage would you say of the fish would be dead when brought on deck?—On the east side I should say from 60 to 70 per cent. would be dead. It is the last part of the haul that would be alive. They come up on the last part, and they are free for a certain time, and then those would be alive.

2177. If of that 60 per cent. which are dead, say a half or a considerable proportion were soles between 7 and 8 inches in length, would you be in favour of having soles between 7 and 8 inches brought on deck thrown overboard?—A sole of 7 to 8 inches was never considered a commercial sole. It was what was always termed a "slip," and was thrown out for the crews to eat for their breakfast if they fancied them. They were never sent to market.

2178. Do you mean to say there is no market for soles, we will say, between 6 or 7 or 8 inches?—Not at the Humber ports.

2179. None at all?—No.

2180. Absolutely

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Mr. William Redmond—continued.

2180. Absolutely none?—No.

2181. Do you think that applies generally round the coast?—Not as a commercial sole, I said. There are people who eat fish not commercially. I mean by that a fish has to bear carriage. It has to bear certain expenses, and the idea is that the ultimate return should be something. When you send a sole of 7 or 8 inches you can have no hope of any return after having borne the expense, therefore they are eaten or given away as presents to people.

2182. We had evidence from some fishermen here that they had a market for soles from 6 to 8 inches?—It may be so. For instance, there are jowders, as they call them in the south of England. I have been fishing from Plymouth, and there are jowders very prevalent there who have little pony and donkey carts, and it is possible they may carry fish round to the farmhouses and other places and be able to sell them; but we do not consider that of sufficient importance in dealing with a large measure of this kind to have any appreciable weight.

2183. At what size do you think now the sole is commercially valuable?—I should say the smallest sole to be of commercial value should be about 9 or 10 inches, and the same with the plaice.

2184. You think the limit in this Bill is too small?—I do. We reduced it to comply with certain opposition. Our own idea is that the limit should be 10 inches both for plaice and sole, but we reduced the size to meet certain opposition that has shown itself during the last seventeen years.

2185. Of course, you say in the fisheries of which you have experience there is absolutely no commercial value for soles from 6 to 8 inches long, but do not you think that in other districts, where there is a market for such fish, it would be rather hard by Act of Parliament to insist that such fish, for which there is some sort of a market, should be thrown overboard when they are brought up in the trawl dead?—I can quite understand, and I admitted that it is possible there may be a hardship, and very probably there would be, but when we look at the total catch of the west and south coasts is that of sufficient importance to prevent unanimity in a Bill of this sort—at least a regular scale all round the coast? We think not.

2186. Do not you think it is reasonable for fishermen to say with regard to fish coming on board dead, a large portion of which they are able to sell and make something out of—soles under the limit fixed in this Bill—that that being so they consider it is rather hard they should be compelled practically to waste the fish?—I can quite understand they consider it hard. At the same time I am quite sure of this, that the people have not sufficiently considered it. They have not taken any interest in it. For instance, take Brixham. There is no interest taken in Brixham—not a combined interest as to studying the question and making proper representation. You might have an isolated fisherman and hear his evidence, but there is no combination and there is no consensus of opinion as to what would be the best thing to adopt or to refuse.

2187. Would you be surprised to hear, with
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Mr. William Redmond—continued.

regard to Irish fisheries, leaving Brixham alone, there is a very strong feeling amongst not only the fishermen, but fishboat owners, that it would be an intolerable grievance upon the fishermen to say that if they sold a fish, say 7½ inches long, they would be liable to be fined £2 for the first time, and if they did it twice £10?—I take it that the principle that applies to the North Sea would apply also to the coast of Ireland, that where these undersized fish congregate is known to the fishermen there. In all estuaries—the Wash for instance, the mouth of the Tees and Torbay, and all these estuaries and inlets where the nature of the bottom is suitable—there these undersized fish do congregate, and they are there matured, and as they mature they go off gradually into deeper water, and therefore it is a national benefit, although it may be a temporary hardship to someone. We may consider it is a temporary hardship to us—that is, to the east coast; but ultimately we feel that very quickly a great benefit will arise, and therefore we think that that same principle would apply to the Irish fishermen and to the south coast fishermen the same as will apply to us.

2188. Supposing that 30 per cent. of a haul composed of fish, say from 6 to 8 inches, are brought on board dead, do you think it would be a national benefit to have these dead fish thrown overboard rather than have them sold where there is a market?—There is no other ground but the east coast and the North Sea where that proportion alive would come on board—not on the south coast or on the Irish coast or anywhere else. The proportion will be very much less in any other parts of the seas; probably not more than 5 or 10 per cent. will be alive.

2189. Take a man going out in a fishing boat, say from Arklow, in Ireland, and getting 10 per cent. of fish in his trawl coming on deck dead, from 6 to 8 inches. Do you think he would consider it a national benefit that there should be an Act of Parliament to fine men for selling fish under the limit even though they came up dead?—I can quite understand he would think it was not a national benefit, because he would be so nearly interested in the matter that he would overlook the national benefit and simply look to his own interests.

2190. Of course, we are all agreed that it is most inadvisable to destroy immature fish. I take it that everybody is anxious that something should be done to prevent that; but my case is this, that you cannot prevent a certain amount of immature fish coming into the net, and a certain proportion of them are hauled up on deck dead. Where can the possible advantage be of compelling a fisherman under a heavy penalty to throw overboard dead fish from the deck of his vessel which if he was allowed to bring ashore he could get something for?—Well, that opens up a very wide question, and I should think it would be a question that the Committee will not care to hear about. I should imagine the boats in Ireland are of a very small and fragile character. The major part of them will not be decked boats, and those men cannot go very far to sea, and therefore it is known that those men are going to catch undersized fish—they know that they are going to catch undersized fish

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fish—whereas if those men had better appliances and went further out to sea they would get a different class of fish altogether, and would be independent of the 6 to 8 inch sole.

2191. Have you much experience of Irish fisheries at all?—Yes, in this way, that I know the major part of the fishing in Ireland is done by Brixham men and the descendants of Brixham men.

2192. The fishermen in Ireland are descendants of Brixham men?—On the east coast, in Dublin, and where the principal part of the trawling is carried on. I believe there is no trawling carried on on the west side of Ireland.

2193. Do you mean to say the fishermen on the east coast of Ireland do not go far to sea? Would you be surprised to hear the Arklow fishing boats go all round the coast sometimes perhaps for a week?—Trawling?

2194. Yes; some of them?—I can understand they do herring catching and so on, but I am not aware they do trawling. I may also say further on that point, in reference to the Irish fishermen, that it is the Brixham men that have carried the trawl all round the Islands of Great Britain. They first went to Tenby and to Scarborough, when those were practically the only two watering places existent in England, and from there they went to Liverpool and to Dublin. Now they are located to a very large extent in Milford Haven, and the outcome of the North Sea fishermen from Brixham going to the East Coast has been to introduce the trawl to Aberdeen, and to-day Aberdeen is a very important trawling centre. I should say about 150 steam trawlers are working from Aberdeen. That all comes from Brixham and that at Dublin as well. A family called the Knight family migrated to Dublin about fifty years ago, and have remained and have carried the knowledge of the industry to Dublin.

2195. Is your opinion that if a restriction is put upon the sale of fish under a certain size it will have the effect of preventing such fish being caught?—I think so.

2196. How can you prevent these small fish coming into a trawl with the large fish?—Because the localities which these undersized fish inhabit are known to the fishermen, and if they knew there was a penalty in landing them they would naturally avoid shooting their net in those localities. They would seek other grounds further afield.

Chairman.

2197. There is not a penalty for catching, but for selling?—For landing and selling.

Mr. William Redmond.

2198. Do you think they really select grounds to go and throw their nets for small fish, where they know there are small fish?—I do not think they select, but it is handy for them.

2199. Why do they go to these grounds, where you say they know they will have a haul of small fish, when you also tell us there is no practical or commercial value attaching to them?—We think there is no commercial advantage. You tell me in Ireland they are saleable?

Mr. William Redmond—continued.

2200-1. Yes, and the Brixham men told us the same thing?—Because they do not bear perils, the higher carriage, but are sold in the neighbourhood. That is a different thing altogether. I say the same thing as regards the immature flat fish that come to London. There is no other market but London for undersized flat fish, because they bear a cheap carriage from the North Sea—water-borne.

2202. But there is locally a market for fish round the coasts. My case is this: I will take as an instance a place I know very well where there is a very large fishing fleet, on the east coast of Ireland—namely, Arklow. These men go out and they bring in fish, and a number of them would be under the size of the limit put in this Bill, and they can find a market for them. If this Bill is passed they will be obliged, under a penalty of £2 or £10, to throw over every fish that does not come exactly up to 8 inches. What is your opinion as regards that?—I can answer the question in a very few words. The condition the honourable Member has named prevail all round the coast. People who have imperfect appliances fish close to the shore. As I say, it takes the shape of a seine net or an open boat or a boat that is half open or half decked, and that prevails all round the coast of Great Britain. It has very evil effects. It is a matter of commercial fishing appliances.

Chairman.

2203. Some parts of the coast are protected against that kind of fishing, are they not?—Yes, quite recently, since the Fisheries Committee came into operation.

Mr. William Redmond.

2204. You are distinctly of opinion, therefore, that it would be in the interests of the fishing industry generally, on the coasts of Ireland as well as Great Britain, that every person who attempts to sell fish under 8 inches should be fined £2?—Very distinctly I am.

2205. Supposing it was 7½ inches, you would fine him £2 for the quarter?—That is a little difficulty that is sure to arise, but, as I say, when the habitats of these fish are to be found at a certain place it will be a necessity that the fisherman should keep away from them, but if in catching general sizes of fish a man found an immature fish he would naturally know it was an undersized fish and throw it out and eat it.

2206. Even though it were dead?—Yes, and eat it. It would be fresh. He would throw it out on one side, and he would eat it on board his vessel.

2207. You think every fish under eight inches that is hauled up, even though it be dead, it is better to throw overboard than to bring it on shore and sell it?—There is no necessity to throw it overboard. My experience of the habits of fishermen is quite different from yours. My experience is that the fishermen do eat these small fish which are saved over from the day's catch and nothing else, and the cook boy cooks these undersized fish and the fishermen eat nothing else but the fish. When they

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they cannot eat any more fish than they eat biscuits and butter and drink their tea and coffee, so they get through a very large number of undersized fish.

2208. Your suggestion is that the fishermen can eat all the fish they catch that comes on board under eight inches?—That is so if they are fishing on fair fishing grounds.

2209. Supposing, as may very likely happen, that 15 or 20 per cent. of a haul would be fish under, or at or very near to eight inches, do you suggest the fishermen, although they can get money for them when they get into harbour, should eat them all, and if they cannot eat them all should throw them overboard and waste them?—I do not think I should stretch their capacity to that extent, but, as I say, that is a detail in the working of all measures.

2210. You are in favour of raising the limit to nine inches?—I should say ten, personally.

2211. For sole and plaice?—Yes.

2212. And for turbot and brill?—To about twelve inches.

2213. Therefore what you would like to see would be an Act of Parliament passed which would fine every fisherman of the United Kingdom £2 for selling a sole under ten inches long and £2 for selling a turbot under twelve inches long, or a brill?—No, we have no idea of fining at all. I may say that we have not considered the question of the fines. We have considered the advisability of prohibiting the landing and the sale of undersized flat fish. Those are details of the Bill we shall perhaps want to consider, and other matters of detail in the Bill.

2214. You consider that every sole under ten inches is an undersized sole?—I do.

2215. Do you know that there was evidence given on the last occasion by the largest dealer in fish in the City of Dublin, and that he took an exactly opposite view to you? He said six inches would be limit enough?—I do not know whether I personally may say, with all respect to the Committee, that I should not be prepared to put very much reliance on the evidence of that gentleman owing to his want of experience.

2216. May I ask you why you say he lacks experience?—Because I know it is only until recently he was simply a salesman in Dublin Market, and quite recently he has become the owner of four or five steam trawlers.

2217. Have you read his evidence?—No.

2218. Yet you say he has no experience?—Yes.

2219. Would you be surprised to hear that he is the largest fish trader in the City of Dublin?—I should not be a bit surprised.

2220. And is the owner of a considerable number of trawlers himself?—I should not be a bit surprised.

2221. Yet you say he has no experience?—I do not say he has no experience. I say his experience is a very limited one—of a very short duration.

2222. What is the duration which you call very short?—I should say he has not been an owner of fishing vessels for more than four or five years.

Mr. William Redmond—continued.

2223. How long has he been in the fish trade?—That I could not say.

2224. At any rate you will admit this is a question upon which there is strong difference of opinion?—No, I am not aware there is a strong difference of opinion.

2225. Do you suggest that the fishermen of the country generally are in favour of this Bill?—I do, where the commercial value of fish exists. We have in the River Humber a place called Paull in which there are several shrimp fishermen. These men would naturally object to the Bill because they catch undersized soles in the estuary of the Humber, but that does not touch the commercial question, and the fact that the food supply of the country is dwindling and dying away, and we, who are interested, in the first instance, in trying to maintain it, see that it is important and very necessary that a measure of this sort should be passed. There I divide the question—as to its commercial value and its interest in providing food supply for the people of this country, and not only of this country, but the nations bordering the North Sea and the English Channel.

2226. I quite recognise that your view is the view of all of us, I take it, that it is desirable to check the destruction of immature fish, but there is a question of difference as to how it is to be done. You think it can be done by putting a penalty on the sale of fish?—No, I think it can be done by this Bill as a tentative measure, because it is not only necessary for our own nation to pass this measure, but I think it will be the beginning of a greater interest being taken in this fishing question by the authorities, both in providing better scientific appliances and by further research, and also by the establishment of a Fishery Board—a Central Fishery Committee. At the present time we are battered about from pillar to post; at one time it is one minister and at another time it is the Board of Trade, so that there is no home for the industry in England as there should be. It is of sufficient importance to the nation that there should be a Central Fishery Board, where all questions on fishing matters should be dealt with, and representatives from the fishery committees round the coast should have proper representation.

2227. You think that, though this Bill will do some good in the direction in which it goes, a great deal more should be done?—Eventually. At present I think it will be a very beneficial measure, and the benefits will show themselves very quickly.

2228. You would like to see the Bill extended?—Eventually. I do not think the time is ripe yet. It will take years to do that. There will have to be an international conference, and measures of that kind take some time to formulate and pass.

2229. The sooner it is commenced the better?—We think so.

Captain Sinclair.

2230. Will you kindly say why you consider this is tentative? In what sense do you use the word tentative?—I mean the interest taken by

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by the Legislature in the fisheries question is an interest just beginning to be awakened, and when they get more evidence and more facts before them from scientists and from practical fishermen—when I say practical fishermen I mean men like myself who have taken a deep interest in the question and have been observant, because our bread and butter depends upon it—I think the Government will undoubtedly close certain areas altogether in the North Sea and round the islands of this country. The Wash, at Lynn, is a tremendous breeding ground for flat fish. I remember in the winter of 1860 we had a vessel which went and fished in the Silver Pits, and they filled that vessel up to the hatchways and in the cabin with soles, because the winter was so cold—I think it was 1860—that all the fish that were on the shallower waters drifted and swam into these deeper parts, the Silver Pits, for climatic reasons, and they were caught there as thick as possible. That shows me that these fish are bred in these estuaries and lie all round the plateau, and, under certain conditions of the weather, they descend into the deeper holes which we call the Silver Pits. I mean to show by that that there are other areas which want closing as well as the east side of the North Sea.

2231. To put it briefly, you look forward to a more complete protection to the fisheries and the fishing industry than is afforded by this Bill?—That is so. I think that shows a strong reason for it to be passed.

2232. Would you please tell us something about this question of exhaustion? It comes from two causes?—Three.

2233. Will you kindly state them quite briefly?—The decrease showed itself very distinctly before stream trawlers were introduced. The first cause is catching the young fry—I am speaking of the North Sea—on 300 miles of coast line from the Texel to the Horn Reef. The second cause is owing to the enormous catching power as it exists in the fishing vessel of the day. The third reason is coast seineing and other small boat appliances round the coast.

2234. These causes destroy both immature and mature fish or undersized and full sized?—That is so, if the large size exist there.

2235. I am talking of the North Sea as a whole. Have you any information as to whether or not there is over-fishing of mature fish?—Not as the main cause of the decrease.

2236. I am not asking you whether it is the main cause or not, but do you think that there may or may not be some over-fishing in the North Sea entirely apart from the question of undersized fish?—That is an entirely speculative question, and I can only give you a similar answer—it may be.

2237. You have no opinion as a practical man?—No. I think the principal causes are what I have stated.

2238. What I want to elicit from you is, in your opinion, whether there is or is not any over-fishing or excessive capture of mature fish?—Not in the sense you ask the question. The over-fishing is shown by the decrease that arises from the catching of the immature fish.

2239. You say that the main market for these

Captain Sinclair—continued.

undersized flat fish is London?—That is so for two reasons; one is the cheap and direct carriage by the steam carrier, and the other is the immense population of poor that unfortunately exist in London.

2240. What area of the country does the London market supply?—Principally the south.

2241. Not the country outside?—A very small proportion now. It used to send fish down the coast, but not so much now.

2242. What proportion of fish sold in England is sold in the London market?—I could not answer that question.

2243. You mentioned the date of the introduction of steam trawling, and you gave us some figures as to the trawling catch?—Yes, in 1884 steam trawlers were introduced into Hull, on a vessel.

2244. As a matter of fact, it is the case, is it not, that the trawling industry has very much developed?—It is so.

2245. There is more capital in it than there ever was?—Yes, and the capital extends over a large area.

2246. The opinion of the trawling industry is that the industry is threatened by the signs of exhaustion in the North Sea?—That is so.

2247. Will you tell us something about that Fleetwood fleet you mentioned? You said a fleet, strangers to Hull, had come to Hull and were now fishing, or had been since a certain date in April, on these undesirable grounds?—Yes, there have been about 30 steam-fleets. They migrated to Hull recently from Fleetwood. From April 21st to the present time they have sent to the London market 40,000 trunks of these flat fish. They have averaged in the market about 7s. a trunk. We have one of the boxes here to-day, if the Committee would like to see it. I was desired by the Chairman on the last occasion to bring one of these trunks, and I believe it is here to-day in its virgin state.

Chairman.

2248. You said 7s. a trunk is the average? What is the ordinary value of a trunk of undersized fish?—To-day they would make possibly 40s.

Captain Sinclair.

2249. What are the other markets which are open to fishermen fishing in the North Sea exclusive of our own markets?—Do you mean direct for landing purposes or for distribution?

2250. For sale?—The markets that are open for the Hull trawlers are all the markets of the North Sea. We often run our fish to Aberdeen in the winter time.

2251. You described to us that the beneficial operation of this Bill will be practically to close a certain area in a certain degree to fishing?—Yes.

2252. Who go to fish there—the fishermen of other nations besides ourselves?—They are Germans especially, and the Dutch vessels.

2253. Where do they dispose of their fish?—Principally in Holland and the English markets.

2254. Then they will not be affected by this Bill?—Yes.

2255. How?

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2255. How?—Because in Germany there is no market at all for this undersized flat fish; neither is there in Denmark. There is a market for a few in Holland, but the Hollanders like the larger fish. They salt them and bury them, and they eat them partly raw in the summer-time with their beer. There is a small market there for a few, but the major part are sent to England by the Harwich boats and from Estbjerg.

2256. Then they can land them at Denmark, but they cannot sell them?—I do not know whether they can sell them or not, but they find the best market in London generally.

2257. Then the real key to this question is the demand for this fish from the poor of London?—That is so.

Chairman.

2258. May I ask do you believe if this Bill were passed, and the London markets were closed, that foreigners would cease to go on these grounds?—To a very great extent.

Captain Sinclair.

2259. There is another cause of the destruction of small flat fish, is there not, in the line fishermen round the coast?—I should say not to a very large extent—a very small extent, because the fisherman, from his knowledge of fish, baits his line to catch a certain fish. It would be an accident if a man were fishing for cod or haddock if a small flat fish were to get on his hook—it would be quite an accident.

2260. Besides, the coasts are protected very largely—the Scotch coasts are entirely protected?—From line fishermen?

2261. No, from trawlers?—Yes.

2262. I am talking of territorial waters?—I think the Scotch coasts are very much protected against the Britisher, but not against the foreigner.

2263. Your opinion is that the protection proposed in this Bill cannot be thoroughly effective unless it is international?—Only to the extent that the Bill goes.

Mr. Seale-Hayne.

2264. If this Bill were to pass into law can you give us any idea of the effect it would have upon the general price of fish in the market? According to your view, would it tend to increase the price or to decrease it?—When I tell you that there is only one fleet of thirty vessels fishing on this ground this year it can be easily understood that there cannot be very much difference even immediately the Bill passes, but beneficial operation of it must be soon observable by the fishermen.

2265. What do you call beneficial—an increase or a decrease?—An increase in the quantity. It does not matter what the price may be if we cannot get any to sell. It is fish we want.

2266. I was asking what your view upon the general question of price was if this Bill were to pass into law. Would the price be higher or lower in the market generally?—I do not think it would affect the price one way or the other.

2267. You do not think it would make any difference?—I do not think it would.

Chairman.

2268. You are speaking now as to the immediate effect?—If you will allow me to say so, this is, I understand, the question: Providing this Bill is passed, what difference will that make to the price of fish?

2269. There are two points: Will it make any immediate difference in price, and what do you expect the ultimate result in price will be?—The immediate difference would be inappreciable, but the benefit to the trade in the increase of fish would soon be apparent.

2270. As to price—it is a very simple question, surely?—I say it would make no appreciable difference.

2271. Neither now nor in the future?—In the future the tendency would be to reduce the price because the quantity would be increased.

General Goldsworthy.

2272. Can you state from your own knowledge whether during the last 7 years, that is to say from 1893, when the last enquiry took place, up to now, there has been any falling off in the general size of the flat fish which have been caught, that is to say that you are now getting fish of the same size and proportions?—There has been a great deal of continual change going on in the size of fish that have been marketable. We bring and land more small fish to market now than we did formerly, when larger fish were more plentiful, and the demand since the Fisheries Exhibition of 1883 created by the knowledge which has been disseminated among our population as to the value of fish as food has been gradually increasing, and to supply that demand we have been induced to land smaller fish of late years than we did formerly. To-day many fish are sold and appreciated in the market that 10 years ago were considered of little or no value. Those fish are rays, and monks—which is a fish, as I daresay you know, with a very large head and mouth; they take off the head and tail, and they are sent to market—and codlins and small haddock are saved now to a large extent that were all thrown overboard many years ago. Small haddocks about 12 and 14 inches long that we sold for manure years ago now make probably £1 per hundredweight for the friers. The fried fish business of this country is an enormous business, and they fry this small fish.

2273. You stated once or twice, I think, that people would soon see the beneficial operation of this Bill if it passed into law?—I believe so.

2274. What do you mean by soon—what limit of time?—I should say in a year or two.

2275. There is one word you used here. You said this is a “tentative” measure?—I think when I said that I meant that the interests of the authorities would be aroused, and must be aroused in the question of the fisheries, and they would see the importance of passing further legislation when they had further information.

2276. You do not mean that this Bill should be operative for a certain number of years?—Not at all.

2277. I mean specifically?—Not at all.

2278. You

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Sir Brampton Gurdon.

2278. You said that the thick back is caught in the Bristol Channel?—And the lower part of the English Channel, and the Bay of Biscay.

2279. That is different from the ordinary sole?—A different thing altogether. As much difference as a dab and a plaice.

2280. Brixham fishermen say there is a third kind of sole, the sand sole; do you believe in that?—It may be so. I did not know it.

2281. Is the thick back what is called scientifically a sole-nette?—I could not say that.

2282. Do you think the thick back is caught in the Wash?—In the North Sea?

2283. Yes, by Lynn?—No, I do not think so.

2284. The Lynn fishermen say there is a smaller sole there?—I do not think so. I have never heard of such a thing.

2285. In a seine net, I suppose, no fish are practically killed, they are all alive in the net?—That is so.

2286. Do the fishermen generally turn back the small fish into the sea?—No, they do not. They are laid on the beach.

2287. Of course, this Bill would not affect that in any way?—Excepting so far as those they select for selling purposes.

2288. Exactly, but it would not make them throw back the fish any more than they do now, if they simply left them on the beach?—Not at all, excepting this, that it would make them aware to a greater extent of the importance of it.

2289. It might call their attention to it, it is true?—Yes.

2290. Of course if the tide is rising, it does not signify. If the tide is falling, they die?—They die in either case.

2291. I think you said in reference to the trawl nets that the fish all got to the bottom?—Yes.

2292. It was put by the honourable Member for Suffolk, who is not here to-day, that the soles get up into the pockets. That is not your experience. What are called the pockets?—You know what a crab-pot is, where the fish go down, and then it comes to a fine point. It is exactly the same in a trawl. There is a part sewed round on the inside which forms what they call a funnel, and then it has an opening, and the pockets are the spaces at the side.

2293. Do the soles get into the pockets?—Yes.

2294. Do you think that there they are more likely to live?—It is not a question of that, it is a question of securing them when they are in.

2295. In the pockets they would not get mixed up with the dirt and oyster shells, and all that?—After doing that for some time, they get fatigued, naturally and they fall away down.

2296. You said the small fish were sometimes destroyed through want of a market?—Yes, and large fish as well.

2297. Which would otherwise be saleable, but sometimes through absolute want of a market?—That is so.

2298. Have you ever known large fish destroyed for want of a market?—Yes, I have carried boat loads of live plaice, full size thick

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plaice, into the river Humber, and thrown them overboard into the river myself.

2299. I think you said the nursery was by the Texel Light to the Horn Reef. Where is the Horn Reef?—The Horn Reef runs out from Blaavand Point on the mainland on the coast of Jutland, and runs out 25 miles into the North Sea, and form a natural barrier to the eastern current, taking the spawn into the Sleeve, and thence into the Baltic.

2300. That is about 300 miles from the Texel Light?—About 300 miles of coast.

Chairman.

2301. How many years ago is it since you have thrown overboard full size fish?—I think it was in the seventies. Yes, certainly in the seventies.

2302. Do you believe much full-size fish is now destroyed for want of a market?—Not now. We have been catching thousands of large haddocks and plaice, and there has been no market in Hull for them, and to prevent the risk of the railway carriage, we have chartered other smacks and brought them direct to London market, on the chance of making a small profit with that low carriage. I only mention that to show you the quantity that existed at the time in the North Sea.

Mr. George Doughty.

2303. How many years ago is that?—In the seventies.

Mr. Harry Foster.

2304. You have spoken about the enormous increase in the catching power of vessels employed in the North Sea, and you have also spoken about the gradual decrease of late years in the size of fish brought into the market.—The size and quantity.

2305. Both size and quantity?—Do you see any relation to those two facts taken together? Do you think the enormous increase of the catching power is in any measure accountable for the increase in size of the fish?—I think there are three causes for it.

2307. I am not asking you about what other causes there are. I ask you whether, in your opinion, the effect of the enormous increase in the catching power is in any measure responsible for the decrease both in the size and in the quantity of the fish brought to market?—It may be so, but to a very small extent.

2308. Why do you think that the increased catching power is not largely responsible for the decrease in the size and quantity?—Because I have already explained that my principal opinion for the decrease of the fish in the North Sea is that it is owing to the catching of undersized fish in the habitats where they exist, both by trawl and seine.

2309. You do not think the fact of largely increasing the catching power, and a number more people, if I may use the figure of speech, dipping into the basket, is responsible to any serious extent for the diminution of the quantity?—Not to a serious extent—to a small extent.

2310. You

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2310. You mentioned that there has been a growing conviction, as I understood you, in the minds of fishermen in the North Sea that they ought to keep away from certain grounds?—Yes, that is of late years, but the owners themselves have had that conviction for nearly 20 years.

2311. The men have had it of late years—for how many years?—Perhaps five or six.

2312. Is your evidence that, in consequence of that conviction, that for the main part they have kept away from these grounds?—They have.

2313. How long did they keep away from these grounds?—During the season.

2314. What season?—It begins about March or April and lasts up to August. Formerly it lasted up to October.

2315. Your evidence is, I take it, that apart altogether from this Bill the fishermen themselves are now so alive to their own interests that they are, as far as they can do it, keeping away from these nursery grounds?—Not sufficiently alive to put that into full practice.

2316. I will come to that in a moment. Are they in the main alive to that, in your opinion, to-day?—I do not know that they are. I could not say that.

2317. You told us that they were abstaining from fishing upon these nursery grounds?—Yes, to a certain extent.

2318. I understood you to say to a large extent?—For instance, there is a fleet fishing there this season.

2319. One fleet. But, of course, we know there are a large number of boats employed in the North Sea. Do you say with the exception of that one fleet you mentioned they have abstained?—Yes, this season.

2320. Am I correct in saying that your evidence is that it is this one fleet of thirty boats, so far as you know, that is the sinner this year?—Yes, to the extent of 4,000 tons undersized fish.

2321. Do you know of any other sinners in that respect?—Yes, there are certain single boats that run there occasionally and catch them and bring them to market when they think it will pay them, when the market will receive them. There are no statistics for that obtainable.

2322. Is it, or is it not, the fact that in the main they are abstaining this year?—Yes, because there is not sufficient.

2323. Never mind about the cause. Is it a fact that they are in the main abstaining this season or no?—Yes.

2324. Why are they abstaining?—Because there is not sufficient large fish to pay them. For instance, if there were two cutters with undersized flat fish on the London Market to-day the fish, instead of making 7s., would probably make 1s. 6d. or 2s. That is only sufficient for the carriage, and it would not pay them.

2325. So far as the main part of the fishermen are concerned the question, this year at any rate, is finding its own solution?—That is so.

2326. Now, with regard to this fleet that persists in fishing there, you stated that they

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have sent 40,000 trunks to London?—I should not like to admit that they persisted in fishing there; it is a commercial calculation.

2327. I am not asking you to admit, but with reference to this fleet that is fishing there this season they have sent 40,000 trunks to London?—Yes.

2328. Which have realised 7s. a trunk?—About that.

Chairman.

2329. The average, you said?—Yes, about that average.

Mr. Harry Foster.

2330. How have they sent those?—In trunks, by water.

2331. You told us how many they contained—how many sizeable fish?—We have a box here, that would answer that question.

2332. I am asking you with regard to these 40,000, speaking as a fair average—I should say about eight or ten containing fish.

2333. What would they weigh?—I could not say that. They would vary in size.

2334. Can you give us any indication?—I should rather not.

2335. You are unable to give the slightest information?—I would say, in reply to that, that the Chairman asked on the last occasion if we could get a box direct from the cutter. That box is here now, and if the Committee were to see that it would answer the whole of these questions without me speculating upon them.

2336. I am not talking about the box which is here—I am talking about the 40,000 trunks which you have given us evidence of. You are able to tell us precisely that they contained eight to ten of these containable fish?—About that. They will vary. All the sizes will vary that are caught in the trawl.

2337. The rest are undersized fish?—Yes.

2338. How many undersized fish?—Probably 400.

2339. Cannot you tell me approximately what the weight of the sizeable fish would be?—It would vary very much; probably from half a pound to a pound.

2340. Between those weights?—Yes. I am only guessing at that. I cannot say for certain.

2341. What I was trying to get at was what would be the market value of the sizeable fish—these containable fish?—I should say the whole of the money.

2342. Practically the whole of the money?—Yes.

2343. So that the rest really would go for nothing?—Yes, the box is bought for the top fish.

2344. The result, to the fisherman, is that he gets nothing for these undersized fish?—That is so, but he hopes to get a market in and out for them.

2345. He has not got much inducement to-day even in London, has he, to catch and send to market the undersized fish unless he can get them accompanied by the sizeable fish?—Yes, he has.

2346. Would he sell them if he sent them up?—I say that he has another inducement. He catches a little prime there.

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2347. That

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2347. That is the inducement?—Yes, one of the inducements.

2348. Will you tell me what other inducements there are?—7s. average for the undersized flat fish.

2349. You told us a moment ago he gets nothing for those?—No, I say he gets nothing for the fish other than the containing fish, and that averages 7s. a box. The other inducement is that he catches a little prime fish, and altogether he considers he is getting a living possibly.

2350. Really the inducement is, as I understand you, to get the prime fish?—And the plaice.

2351. If he did not think he was going to get prime fish, it would not pay him to send to market these undersized fish alone, would it?—No.

Chairman.

2352. You used the expression just now “in and out” when you were asked whether it would pay him to send these small fish, and you said in and out it would?—Sometimes the market will carry those fish at a good price, probably 12s. a trunk, and with that in front of him he will send the stuff to the market, although he may not get more than 1s. or 2s.

2353. In and out means good or bad market, as the case might be?—Yes.

Mr. Harry Foster.

2354. I suppose that you would say that the price of the good fish varies sometimes considerably?—Yes, of course it does.

2355. If there is a small supply the prime fish will fetch a higher price?—Nothing varies so much as the price of the fish on the wholesale market.

2356. You have told us that an 8 inch sole is not a commercial article?—I think not. It is not considered so on the east coast.

2357. Is an 8 inch plaice a commercial article?—No.

2358. Is a 10 inch turbot a commercial article?—No.

2359. Is a 10 inch brill a commercial article?—No.

2360. When you say they are not a commercial article, what do you mean by that, that practically there is no market for them?—No, I do not mean that absolutely.

2361. Will you tell me what you do mean?—I mean to say that where there are large numbers of poor people, in our cities and so on, these fish may find a market of a certain kind.

2362. Do you mean that, with the exception of possibly finding a market amongst poor people in some of the large cities, there is no market for them?—No.

2363. Will you tell me what the inducement is to-day for the fishermen to catch those fish?—The few prime fish that they catch, and catching the market for the plaice in London.

2364. That is the only inducement?—That is the only inducement anyone can have to go fishing. They would not go for pleasure.

2365. Apart from this Bill altogether, is it a fact that to-day there is an enormous destruction by means of throwing overboard undersized

Mr. Harry Foster—continued.

fish that no one attempts to bring into the market?—Yes, that is so.

2366. Would this Bill stop that?—Yes.

2367. How?—Because it would prevent the fisherman sending in the mixed boxes; therefore he would keep away from it.

2368. How will it prevent him doing what he is doing to-day, namely, finding these fish in his net and throwing them overboard?—He does not throw them overboard.

2369. I am asking you the question now about those he does throw overboard?—I should like to answer your question if I can understand it.

2370. Let me remind you of what you said a little while ago. You gave as an instance, a figure, that out of 31 trunks caught, 25 he would throw overboard, and 6 he would bring to market?—Yes.

2371. How is this Bill going to prevent the destruction of that 25 that he now throws overboard?—Because in the 6 that he sends to market he possibly would not send one stone in 6.

2372. Is it not the result of this that instead of throwing 25 overboard and sending 6 to market, he would throw 30 overboard, and send 1 to market?—1 stone of fish.

2373. I am taking your own figures?—I know what my figures are. If you will allow me. I say my figures are these, that when the fisherman sends 1 box of fish to market, he throws 5 or 6 overboard that he caught, but, in that 1 box that he sends, there probably is not a stone of fish—not really marketable fish—and he fills it up with the other proportion of the undersized fish. If that man had to throw overboard the other 4 stones of fish in that box, what was remaining to him would be so small that the man would say: “We will have nothing more of this; we will clear out of it,” and he will go somewhere else to fish.

2374. Does not your evidence amount to this, or is not your opinion this, that he does not let down his net to-day in order to catch these little fish?—He knows when he shoots his gear that he is going to catch these little fish.

2375. That may be, but does he, in your opinion, to-day let down his net in the hope of catching these little fish?—Yes.

2376. Alone?—In the knowledge that he is going to catch them.

2377. The information I want from you is this. Does the fisherman to-day go to sea and let down his net in the sole expectation of getting these undersized fish?—Yes.

2378. In the sole expectation?—Yes.

2379. Will you tell us, if that is so, what he hopes to do with them?—He does not hope to do anything with them. It is a fact that he sends them to the London market.

2380. You told us a little while ago that the inducement to send them to the London market is that he has sizeable fish with them?—A few.

2381. I want to make my question quite plain to you. I do not seem to have succeeded so far. I want to know again whether there is any market for these undersized fish by themselves?—There may be for the best of them, and a very scarce market.

2382. That is all?—Yes.

2382. And

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2383. And apart from that there is not?—No.

2384. Is it not almost a self-evident proposition from that that the fishermen to-day has not got sufficient inducement in the market merely to catch these little fish unless he can get some sizeable ones with them?—Sizeable.

2385. Some containable fish?—Some containing fish, yes.

Chairman.

2386. In all these breeding grounds you speak of are there always a certain proportion of large fish?—Not now. The containing fish are not large fish. They are undersized fish.

2387. I am talking about containing fish?—They are undersized, or very nearly so. I think you would have a great difficulty in finding a 15 inch plaice in a containing fish.

Mr. Harry Foster.

2388. You have given a good deal of study for some years to this fishery question?—I have.

2389. You are aware, I suppose, from that that the complaint of a falling off in the fish supply is no new complaint?—Yes.

2390. It is no new complaint?—Not at all.

2391. It is as old as the century?—Yes.

2392. Do you happen to have come across the fact in the course of your study, that as long ago as 1833 the House of Commons appointed a Select Committee to enquire into the decline of the fish supply?—I do not doubt it at all.

2393. And that the allegation was that that had been going on since 1815?—Yes, very likely.

2394. Then, again, I daresay you know that in the seventies the complaint began to grow very loud?—Yes; it emanated from the North Sea fishermen.

2395. And that, as the result of those growing complaints long before the introduction of steam trawling a Royal Commission was appointed?—Yes.

2396. In 1883?—Yes.

2397. Do you know that that Commission found, as a fact, that there was a decrease in territorial waters of flat fish?—That there was a decrease?

2398. Yes?—Very likely.

2399. Are you also aware that they found that there was a decrease of soles outside the territorial waters?—I could not say that. I should say not.

Chairman.

2400. You do not know?—I do not know.

Mr. Harry Foster.

2401. You are not aware of that fact?—No.

2402. What I was going to ask you was: with your knowledge of the trade to what would you attribute that falling off prior to the introduction of steam trawling?—The same reason that exists now. Our vessels fished on the east side of the North Sea from the commencement of the fishing in the North Sea.

2403. That was before the introduction of steam trawling?—Yes, many, many years. It was before the introduction of the Torbay men into the North Sea. Hewitt's fleet fished off there from Barking in the summer months.

2404. You have given us some figures with 0.26.

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regard to the percentage of these fish that would be possibly alive when the trawl is brought up?—Yes; it varies under different circumstances.

2405. Your estimate, I presume, related to when the trawl is brought up on deck?—That is so.

2406. There is an interval of time after that, is there not?—Yes.

2407. Before the fish can be sorted?—Yes.

2408. And therefore from 20 to 30 per cent. even of those that might be alive when the trawl was first brought up would have still further diminished?—That is so.

2409. The smaller the fish the more undersized the fish, the more tender its life?—That is so.

2410. Therefore I suppose, as a matter of fact, with regard to the operation of the trawl upon undersized fish the percentage that get returned to the sea in the ordinary experience of trawling in the North Sea would be very small?—Very small indeed.

2411. Therefore we must not look to that to help us?—No.

2412. In effect these people have to be kept off the ground somehow?—Yes, that is so.

2413. They have either to be prohibited from going upon the ground or else you have to get an Act which you think will prevent them?—That is so.

2414. Which will induce them to keep off?—Yes, we are convinced of that.

2415. It is only because you think this Bill would induce them to keep off that you favour the Bill?—That is so.

2416. If it failed in that object it would be inoperative?—Of course.

2417. But you would much prefer to see these points which you have indicated to us protected during certain seasons?—Yes, that is so.

2418. In order that they should be effectively protected we should have to have an international agreement?—That is so.

2419. That would be the most satisfactory thing in your view?—Yes.

2420. You have spoken about the opinion amongst those commercially engaged upon the east coast. You know that the bulk of the opinion in Lowestoft is opposed to this Bill?—I daresay.

2421. Lowestoft is rather an important commercial centre, although it is not as large as Grimsby?—It is. They fish in near water.

2422. Do they not fish very largely in the North Sea?—No.

2423. They do not?—No.

2424. Then they are not doing the damage?—Not in the North Sea. They are doing the damage in their own grounds.

2425. What do you mean by their own grounds?—Off Lowestoft.

2426. Do you mean within the three mile limit?—No, where these small fish exist.

2427. Is there some place off Lowestoft where they exist?—Yes, they catch a lot of little plaice at Lowestoft.

2428. Would you indicate to us what particular locality you think they ought to keep off—this nursery for the small fish off Lowestoft?—They fish up towards the estuary and in the

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the estuary of the Thames, and catch a lot of undersized fish.

2429. You would not call that off Lowestoft?—I call that the fishing ground of Lowestoft vessels.

2430. The Lowestoft vessels go round to Cornwall, do they not?—Yes, and they go in the Bristol Channel.

2431. And up to Scotland?—Yes.

2432. You do not suggest that there is some nursery off Lowestoft where these young fish abound?—Yes, we think so.

2433. Can you indicate to me where it is?—Yes, I can indicate to you by the chart very easily.

Chairman.

2434. You can perhaps tell us as to points, so as to get it on the notes?—The Lowestoft fishing vessels fish about the Gabbard and the Kentish Knock, which is practically a part of the estuary of the Thames.

Mr. Harry Foster.

2435. Do you say that the ground between the outer Gabbard and the Kentish Knock is what has been called a fishing nursery?—I believe it is a fishing nursery all in that estuary.

Captain Sinclair.

2436. For flat fish?—Yes, the same as the estuary of the Wash, the same as the estuary of the Tees, and the same as the estuary of the Humber.

2437. That has not been closed by any district committee?—No, and the same conditions do not apply to the Moray Firth. It is not an estuary in any sense.

Mr. Harry Foster.

2438. You said that you had not paid much attention to the details of this Bill. The details would have to be considered?—Yes. For instance, Sub-section 3 of Clause 1 we say is so complicated that it should be eliminated altogether. There is no reason for it to be there.

2439. What is your objection to it. When you say "we," you are speaking as a fish salesman now?—No, speaking generally for all interested parties.

2440. What is the objection to it?—For instance, there is something to be signed in writing. That cannot be done in practice.

2441. You say it would be impracticable?—Yes. There is no need for that clause in the Bill at all. It is neither good nor harm. Then in Sub-section 4, an officer of Customs is not a proper and fit person to govern fishing. It should be a recognised officer of the Board of Trade, with some experience of the matters he deals with, or else a lot of friction and inconvenience would arise.

2442. You mean if an officer of Customs were to be invested with these powers?—He should not be the person having these powers. They should be delegated to an experienced man from the Board of Trade.

2443. Have you anything to say with regard to the places to which this right of inspection should extend. Have you considered the question whether it should be limited to the port of

Mr. Harry Foster—continued.

landing, or whether it should be extended to the fish wherever it may be found inland?—I take it that that follows. We naturally should hope that it should be operative at the places of landing, because there you would protect fishermen. Many a poor fisherman may make an error, and if the officer were there on the spot at the place of landing he could caution the fisherman. He may be a poor man, and perhaps his calculating powers may be very different as to the length of the fish.

2444. Anybody's powers might be?—No, with regard to undersized fish.

2445. You might be easily deceived as to whether a fish was $7\frac{3}{4}$ or $8\frac{1}{4}$ inches, without you had a rule in front of you?—I may say that in reply to that question a fish 8 inches is self-evident without any measurement.

2446. Is a fish $7\frac{3}{4}$ inches long self-evident?—A sole of $7\frac{3}{4}$ inches is self-evident to anyone. It is not a commercial fish.

2447. Would you say an $8\frac{1}{4}$ sole is self-evident also as not being a commercial fish?—Yes, so far as I am concerned.

2448. You have given your definition of commercial sole as being 10 inches?—Yes.

2449. What you are saying points to this, that the fishermen might easily mistake the size of the fish as between $8\frac{1}{4}$ inches and $7\frac{3}{4}$?—He may do so.

2450. He might think he had not got it under the limit if it was under?—He may do so, but we do not think the decision of that should be left to an irresponsible person like a casual Customs officer, who may be called in or may be passing in that market.

2451. You think special officers should be appointed for the purpose?—Yes, we think so.

2452. Then, with regard to the penalties, do you think that because a man has in a trunk a fish that is below the size he ought to be liable to be prosecuted, or do you think there should be a percentage of the fish?—I do not think we have considered that part of the Bill.

2453. May I put this to you: Are you aware that in Holland the percentage of fish in a package must be one-twentieth part of the total?—No, I do not know that.

2454. In order to make a man liable?—No, I do not know.

2455. And that in Denmark the percentage must be 10 per cent.?—I do not know that. It may be so.

2456. Would you see any objection to a provision of that kind?—I should not like to give an opinion about that.

2457. You have not thought about that?—I have not thought about that.

2458. Does it not strike you—you have spoken about the sudden occasion of a Customs House officer—that it would be rather hard if a man happened to have one fish?—Yes, but in thinking about it now, I think it may be a temptation if a percentage of the fish was to be allowed to be passed. I think it may be a temptation to avoid the operation of the Act.

2459. Unless the percentage was a very small one?—A very very small one. I should say there should be no percentage at all.

2460. You

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2460. You say a single fish?—I think there should be a certain amount of discretion left to the intelligence of the officer, and he would soon find out at the station whether men were persistently catching immature fish.

2461. Have you anything to say with regard to the provision in the Bill which empowers a Custom House officer or other officer, if he suspects that packages contain undersized fish, to detain them. It is a serious matter—the detention of such a perishable article?—It follows if it is at the place of landing the fish is exposed; there is no package sealed or bound up.

2462. That is rather an agreement in favour of confining this to the port of landing?—That is so.

2463. If it is not confined to the port of landing, but applies inland, then some serious damage might arise, might it not, by opening and delaying and handling the fish?—Yes, it might do so.

Chairman.

2464. Would you be prepared to advocate that the inspection and detention should be confined to the place of landing?—Yes. In answer to that question, if you take the Customs Act for instance, the searching takes place at the port, but if any exciseable goods are found inland, and they are being wrongfully dealt with, the people can be dealt with inland, and so, if a consignment of fish were to be discovered inland under the size, that would be known, and proper steps would be taken to have that remedied, but I say the principal inspection should take place at the place of landing.

2465. Would you advocate that penalties should be capable of imposition on anyone inland who was exposing for sale fish of this kind?—I should, decidedly.

Mr. Harry Foster.

2466. You said, in answer to some other honourable Member, that trawling up to a point was beneficial?—Yes, on new ground. We found on the Dogger Bank, as I have already described to the Committee, that the flat fish was of a very thin and watery character before the trawling was commenced. After the trawling had been in operation some time, this fish got altogether of a different quality—a very fine quality.

2467. What do you attribute that to?—The ploughing of the land and the food.

2468. Improving the food supply?—Yes.

2469. You think the action of the trawl improves the supply?—Yes, we find the same thing in Iceland. At first when we went to Iceland, the fish at Iceland was not actually marketable. The people would not have them, neither the plaice nor haddocks, because they were so large and so thin that we could not sell them, and that, for some time, retarded the fish operations at Iceland, but we find now as we go on fishing the fish becomes of a better and more sizeable quality.

Mr. GRAHAM MURRAY here took the Chair.

Chairman.

2470. You have said that there has long been a feeling on the part of the owners that it would

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be better to abstain from these nurseries, as you have called them, in the North Sea?—Yes.

2471. And that the feeling has been gradually but not sufficiently communicated to the men. I think you said that?—No, I say the men have not been possessed of that feeling as early as the owners.

2472. I understood you to say that that feeling had not adequately permeated through the whole body of men at present?—No.

2473. Are there men who would be willing to keep away themselves if they could be sure that everybody else kept away?—There are. They are wishful and desirous that it should be so.

2474. Are there men who still go because they see other men going?—That is so.

2475. I cannot help thinking that you have taken rather a wrong conception of that clause you have been talking about lately in the Bill?—I admit that I have not given it much consideration. My evidence has been principally confined to the sizes of the fish.

2476. I am sorry you have not given it consideration, because it is down on the Notes. I want to ask you about the officer of Customs. Would you look at that passage about the officer of Customs. The officer of Customs cannot condemn any fish (except they are unfit for food) or impose a penalty?—He may detain the fish or package.

2477. Yes, with a view of getting evidence. You said several times that you did not think "such" matters ought to be committed to an irresponsible person like an officer of Customs?—Yes. What I meant by that was the decision as to whether a man was subject to a penalty.

2478. If you look at the Bill you see you are miles away from that?—Yes, I see that.

2479. All that is given is a power of search in order that a foot rule may be applied?—Then I think that is beneficial.

2480. I was going to point out to you is it not the case that you could scarcely expect the Board of Trade to appoint a special officer at every port in the Kingdom?—No.

2481. Whereas you have officers of the Customs at every port in the Kingdom?—When I say "place of landing" I mean the principal places of landing.

2482. I am not going into the Moray Firth with you, but you made a general statement to the honourable Member for Forfarshire that you thought that the Scotch coasts, which were the words he used, and which you repeated, were protected against the Britisher rather than against the foreigner?—Yes.

2483. That only applies to the Moray Firth, does it not?—No, all round the coast.

2484. You are surely under some misapprehension there?—No.

2485. Are you not aware that trawling is prohibited within three miles of the Scotch coast to everybody?—Yes.

2486. Then, of course, there is no differential treatment between the foreigner and the Britisher?—Yes, in the Moray Firth.

2487. Do listen to what I say. A moment ago I said is it not confined to the Moray Firth, and you said no?—I mean to say that Scotland has a Fishery Board, and the Fishery Board and inhabitants of Scotland are jealous of the trawlers.

2488. I do

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Mr. HELLYER.

[Continued.]

Chairman—continued.

2488. I do not want to go into the question of what the Fishery Board are or not. What I want to know is this, that is it not a fact that any differential treatment there is is confined only to the Moray Firth?—It is confined to the Moray Firth.

2489. Are the figures in this table of the amount of tons of fish which are imported into the business ports of the south, west, and east coast correct?—Yes.

2490. Where are they taken from by you?—From the Boards of Trade Returns here, which are contained in 58 of 1899. (*The following Table was handed in:—*)

Importance of Humber Ports.		Tons.
South Coast	- - - - -	28,675
West Coast	- - - - -	39,497
East Coast, other than Humber Ports	- - - - -	126,000
		194,172
Hull	62,000	104,000
Hull Vessels sent direct by water to London	42,000	
Grimsby	93,453	107,453
Grimsby Vessels sent direct by water to London	14,000	
		211,453

1900. 370 Steam Trawlers at Hull.

2491. Are you prepared to suggest how the nursery in the North Sea, extending from the Texel Point to the Horn Reef, could be effectively protected?—Yes.

2492. How?—Half way out on the south side of the Horn Reef there is a lightship called the Middle Lightship, and the distance from that lightship to the Island of Heligoland is roughly about 70 miles. If a light vessel was moored in a direct line midway between those points it would give a distance between each of about 35 miles, and you may go further and put a buoy midway again between the lightships which would reduce the distance to about 15 miles.

Mr. HARRISON MUDD, called in; and Examined.

Chairman.

2497. You are, I believe, Managing Director of the Great Grimsby Ice Company?—Yes.

2498. I believe you have had a great deal of experience also in the formation of steam-trawling companies?—Yes.

2499. And indeed assisted to form the first which was ever formed in this country?—That is so.

2500. What is the name of it?—The Grimsby and North Sea Steam Trawling Company.

2501. And you are still a Director of it?—Yes.

2502. I believe you are also Chairman of the Coal, Salt, and Tanning Company?—Yes.

2503. That, I believe, is a very large company indeed, is it not?—It is.

2504. In fact the largest trading company solely connected with the fisheries?—The largest trading company connected with the fisheries, no doubt.

Chairman—continued.

That would create a distinct line of demarcation between that lightship and Heligoland. Then from Heligoland on the south at the mouth of the Weser there is another lightship. That distance is about 36 miles. If there was a lightship moored off Nordeney it would reduce the distance between the lightship at Heligoland and the Weser lightship to about 18 miles. Then, if we take the other section from the Weser Lightship to the Texel, where there is a lightship moored off Vlieland, the distance is about 34 miles. A lightship moored off between Terschelling and Ameland would reduce the distance 16 miles from each. That would cover the whole distance. It also takes about 10 fathom line on the north of Heligoland, which seems to be a natural boundary, when flat fish get a certain amount of strength and get off into deep water. On the south side of Heligoland that line of demarcation and depth is not so distinct.

Sir Brampton Gurdon.

2493. How do you propose to police it?—It will be possible to police it from the lightship—that is to say, the crew of the lightship can note certain vessels and their numbers and marks, and could report, and with that assistance a very little policing by a gunboat would be operative.

2495. One gunboat would do?—One gunboat on each angle.

2495. You must have an international convention?—Yes, decidedly.

2496. We could not keep off our own alone?—No. I now open a box of plaice brought from the market to-day which cost 8s. Six boxes to this during this season have been usually sold at 7s. The box on being opened contains, roughly speaking, I should estimate about 500 fish. The top, or containing 50 or 10 in number, and average from 10 to 12 inches. Underneath the other fishes are almost all small sized fish, and range from 9 inches down to small sizes indeed.

Chairman—continued.

2505. I believe you were Chairman of the Fishing Vessels Owners' Association for three years?—That is so.

2506. Did the Ice Company, besides assisting its work to what its name seems to imply, also own and work a fleet of fishing vessels?—Yes.

2507. Consisting, I believe, of 100 smacks?—That is so.

2508. And five steam carriers?—Yes.

2509. The trade in which it was worked was the supplying of Billingsgate Market direct with their fish?—It was.

2510. When did that company find that a decrease was happening in the flat fish?—We began to feel the decrease in about 1885, and they continued to diminish during the time we kept our fleet together, which was till 1896.

2511. You found that decrease in the grounds to which you used to have resort?—That is so. round the Dogger Bank, and all fishing grounds.

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Mr. MUDD.

[Continued.]

Chairman—continued.

round there, we found a constant diminishing of the fish.

2512. The effect of the diminution was such, was it not, that eventually you gave up the business?—One great factor was we could not catch sufficient with sailing craft to keep the carriers supplied and make the thing pay, and consequently we sold up.

2513. As showing a gradual increase of diminution, tell me the average cargo per steam carrier at the beginning of the period and at the end?—The average cargo of our steam carriers was about 1883-4-5 about 2,000 boxes each carrier. Sometimes we used to bring 3,400 or 3,500, but the average cargo was 2,000.

2514. What did they come down to at the end of the period?—In the year 1896 it was down to about 1,000.

2515. Your vessels, I believe, in the fleet which you have described to us were sailing vessels and smacks?—They were.

2516. Has the experience that you have detailed to us as felt by the smacks been confirmed by the experience of the steam vessels?—Undoubtedly so.

2517. You are director of one very large steam trawling company, I think?—That is so. We have been single boating in that company from its formation. We send each of our steam boats on their own catch to various parts of the North Sea.

2518. That is to say, you do not work them by carrier?—No, they go anywhere about the North Sea.

2519. And come back with their own fish?—That is so.

2520. Is the experience in diminution practically exactly the same as what you have detailed to us?—By comparison we find it so all over the sea. I can give you the voyages that three of our steam trawlers made in the year 1890. Three average steam trawlers made 115 voyages, and, taking the three, they produced 127 boxes of plaice each voyage—the three—and $4\frac{1}{2}$ boxes of soles. In the year 1899 they made 100 voyages instead of 115, and the average of the voyage was 89 boxes of plaice and $2\frac{3}{4}$ of soles. I put the three together, because you may take one vessel and it is hardly a comparison, but these three are three of our average vessels fishing generally about from the Well bank and the Dogger bank, and what we call the inner grounds, all the year round, which I think is evidence of the diminution of fish in the middle of the sea. Then I should like to say that in the year 1890, as showing the price of fish—and here I wish to say respectfully that the Board of Trade Returns are misleading—our plaice averaged £1 2s. 6d. per box. In the year 1899 they averaged £2. The Board of Trade Returns of the quantity of cwts. for plaice per year is not a comparison with the state of things in the North Sea, when it is used by way of showing a reduction or an increase of plaice. The Icelandic fishing having opened practically during the last ten years, I have known as many as 500 boxes of large plaice produced from one vessel for one voyage, as much in weight as she would get now in the North Sea for twelve months. That fish has been very large fish, so much so

Chairman—continued.

that it is not marketable alongside of the North Sea big fish—not to be compared with it in price.

2521. When you say not to be compared with it is it so much better or so much worse?—I mean to say I have seen the average price, taking one day, of Iceland plaice to be 10s., while the average price for our North Sea plaice, good-sized plaice, has been £2.

2522. Your point, as I understand it, comes to this, that the inclusion of the very valuable Iceland plaice raised the total average of the price of plaice landed in the United Kingdom?—No. What I want to point out is that the rise in value of the North Sea plaice is much larger than appears, because the average price of plaice from Iceland comes in the same comparison, and that the Board of Trade has thrown in, whereas the North Sea plaice, taking one time with another, is worth, I should say, three times what the Iceland plaice is.

2523. Of course, it has been the fact, has it not, that the area over which fishing operations have been directed has been very greatly extended during these years which you have been talking of?—Very much so.

2524. In your view is it necessary that there should be some remedial measures to stop what you consider to be the diminution of fish?—Certainly. I have been an advocate of it by force of circumstances for this last fifteen years very strongly.

2525. In your opinion how would this Bill, if it became law, operate in that direction?—It would prevent vessels fishing on the east coast, that fish there now, knowing that the great bulk of their voyage would be small plaice—under-sized and immature fish.

2526. Of course, obviously its effect on the fishing would be indirect—I mean the Bill does not deal directly with fishing?—No, that is so; it would be indirect.

2527. But in your view, if the English market, which is, of course, all that the Bill touches, was shut to fishes immature according to the sizes in the Bill, would that render the practical fishing in these nursery waters, as we have called them, unremunerative?—It would practically so.

2528. If unremunerative do you think the fishermen would give up fishing there?—I do.

2529. And by that means you think the nurseries would be left alone?—Yes.

2530. Are those nurseries well known as a matter of fact?—Yes, very well known.

2531. One well-known North Sea nursery has been described by one witness as extending from Texel Point?—Yes, I heard the evidence and quite agree with it.

2532. As to the extent of that nursery?—Yes.

2533. At this moment, of course, people catch a certain amount of sizeable fish in that area, I suppose?—Yes, they do.

2534. Do you think it would be worth their while to go to that area for the sizeable fish alone if they had no market at all for the unsizeable fish?—I do not, and you have had splendid evidence of that in this box here this morning. If they had nothing but those ten on the top they would not go there to fish them.

2535. Speaking

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[Continued.]

Chairman—continued.

2535. Speaking generally, we understand that Hull and Grimsby are in favour of the Bill?—Yes, very strongly.

2536. You are aware that Lowestoft, I believe, opposes it; there has generally been some opposition from Lowestoft?—Yes. They are not unanimous there about it.

2537. Do you know anything about what has happened there in Lowestoft about the size of soles that are brought to market there?—Generally speaking, there is a great diminution of the supply in Lowestoft market now to what there was ten or fifteen years ago. I do not think anyone will try to show that there is the weight of either plaice or soles there was then. Fifteen years ago we frequently used to have from 10 to 20 or 30 boxes of soles in our market from Lowestoft in the morning. We cannot get them now at all. There is practically very little sole there now as compared with those days. I should like to give evidence and I am quite prepared to be questioned upon it, but perhaps I may be questioned, so I will leave it.

2538. Would you indicate to me what?—I have seen, by some of the evidence given, that it is a question whether anyone is prepared to say or to give the advantages of the legislation that has already been in operation, such as has been carried on by the fisheries boards around the coast. I contend we have a very marked improvement, evidenced with reference to the operations of that fishery prohibition.

2539. You mean, I suppose, that in so far as certain areas have been closed and small fish stopped being killed in them, you think there has been a marked improvement?—That is so, a very great improvement. If you take the Humber and the coast from Donna Nook down, where the North Eastern Fishing District Board operates, they have done their work well. They have a steamboat with policemen on board, and I believe they have practically prevented the catching of small fish; in fact, they have practically prevented trawling within the three-mile limit in the Humber, and along the coast down in Bridlington Bay and the grounds, say from 10, 15, and 30 miles off from the Humber and the Spurn Point. That used to be so very prolific that the grounds became almost swept as with a besom, so much so that our vessels never thought of fishing there. This year two of our vessels, coming up from Iceland, finding they could not save their tide by coming straight on, thought they would have a two hours haul on this ground, rather than to waste the time by lying in the Humber waiting for the tide, and the result of those hauls was somewhat surprising.

2540. Do I understand that this was in prohibited ground?—No, that is in the ground that I am speaking about now, 15 or 16 miles from the Spurn, and as a result of the prevention of the destruction of small fish in the Humber and along the coast during the last four or five years, I say there is already very strong evidence of an increase of mature fish in the off grounds. There is no doubt about it at all, and I cannot understand people questioning it, because we used in the Humber to have thousands of small soles spread in our market

Chairman—continued.

from about 4 to 5 and 8, 9, and 10 inches frequently—thousands morning after morning. Men used to fish for the purpose of catching them, and since they have been prohibited catching, these fish have been allowed to grow, and they are now crawling into the sea, which I argue is a natural consequence.

Sir Brampton Gurdon.

2541. What size do they come in now?—They are not caught in the Humber at all. I say they begin now to replenish the off grounds that had been depleted.

General Goldsworthy.

2542. What size were those your vessels caught?—Good marketable fish.

2543. What do you call good marketable fish?—From 12 or 13 inches to 16 inches or so long.

Mr. Harry Foster.

2544. That is to say, if the little fish are allowed to grow they become big fish?—Certainly, the same as we did.

Chairman.

2545. You say that your experience in the Humber has been that whereas when fishing which killed immature fish was allowed, the districts were so depleted that it was not worth while to fish; since the fishing has been disallowed in the in-districts the out fishing has recovered again?—That is so very largely.

2546. Let us quite understand. In this in-district was a bye-law made prohibiting fishing altogether?—Trawling altogether.

2547. What precisely was the district?—Including the Humber and the longshore down to the North Eastern Fishing District Board. As far as their powers extend they have prohibited the trawling altogether within territorial waters.

Mr. Rothschild.

2548. I only want to ask you one question which has not been very adequately answered by any witness. You said just now that ten boxes of plaice showed very clearly that it was not worth paying fishermen, and, therefore, they would not go to these nurseries if they only caught 100 fish 10 or 12 such containing fish. What I want to find out from you, if you can tell me, is this: These boxes are sold from 7s. to 8s. per box. Is the value of those ten or twelve containing 500 7s. or 8s.?—Decidedly not. I do not say there is no market for small fish. What I say is, it is a shame that 100 fish should be sold for what one would fetch if they were allowed to grow.

Chairman.

2549. Just to bring the honourable member's question to a point, what would be the value of the 10 containing fish if you sold them by themselves?—I should think those 10 would fetch perhaps 1s. 6d. or 2s.

Mr. George Doughty.

2550. You are an Alderman of the Borough of Grimsby, are you not?—I am.

2551. And have been connected with the fishing trade there all your life?—Yes, for the last 50 years.

2552. I think

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[Continued.]

Mr. George Doughty—continued.

2552. I think, as a boy, you first of all went to sea, and know all about the sea life of the fishermen?—That is so.

2553. Is it a fact that the Grimsby Fish Merchants' Association have petitioned in favour of this Bill?—It is.

2554. The Fishing Vessels Owners' Association?—That is so.

2555. And every other association of men connected with the sea fisheries of Grimsby?—That is so.

2556. Is it a fact that the large fishing industries at Grimsby are unanimous in their desire to have this measure passed?—That is so, quite.

2557. From your large experience you are of opinion that, although this may be a tentative measure, it is the best that can be done for the moment?—I believe it is.

2558. Do you believe that a better measure than this could be adopted if all parties could be agreed?—Yes; I think if it had not been for the opposition of Lowestoft we should have had a boundary, which I should have preferred to this if they had extended the three-mile limit along the coast to Harwich, and all round the border of the North Sea. We had only about three of the smaller ports that opposed it from the first.

2559. You from your experience know that vessels go from Grimsby single boating for the purpose of catching small fish?—I do. I mean to say—in our company we are not quite so pious as they are in Hull—our people go with the express purpose of catching small plaice. They know when they go that they are going on to where small place are, and they make up their cargo with it, and come back.

2560. Do you as directors, then, at certain periods of the year expect a certain number of your vessels to work on small plaice?—We do not expect it, but we know we shall have it. We give the captains always *carte blanche* to go where they like.

2561. As a matter of fact you find at certain periods of the year it pays best for some of your vessels to work on these places?—It does.

2562. Therefore, of course, they go there?—They do.

2563. If the Bill becomes law I suppose you will not be the first to be fined. I hope?—I should think not. I hope our men then will reform.

2564. The desire is, as I understand, to be saved from yourselves?—That is so. There is no doubt about it at all. We know it is wrong.

2565. If one company's vessels go then another company think they have a right to go?—That is exactly so.

2566. Do the captains and the second hands work on the share principle?—Yes.

2567. You have practically no power of controlling where they shall go after they get in the Humber—No. We never use that.

2568. Therefore, your opinion is that if this Bill became law it would prevent everybody from going there?—It is. I do believe that most certainly.

2569. You have spoken about the importance of fishing off the Humber. Are you of opinion

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Mr. George Doughty—continued.

from the advantage that has followed from the efficiency of the bye-laws of the North-Eastern Fishery Board along the east coast of Lincolnshire if the same principles were applied to these fishery grounds in the North Sea, that a better or a similar result would follow?—I do believe that—to the advantage of everybody.

2570. I want to ask you from your large experience whether you have noticed that there is a diminution in the quantity of what you call large fish landed on the market to-day?—Yes, there is a very great diminution, there is no doubt about it.

2571. That is, there are not as many big fish in the North Sea as there used to be?—Nothing like.

2572. There are more half-grown fish—plaice, I am speaking of?—In proportion there are more half-grown plaice in the North Sea in the winter than there used to be.

2573. Do you generally agree with the evidence given by Mr. Hellyer?—I do generally.

Mr. William Redmond.

2574. Do you agree with the limits mentioned in the Bill as to the size of the fish?—I would rather it had been a little larger, but we shall be glad to get that.

2575. Do you agree with Mr. Hellyer that that should be 9 inches?—We went for the 9 inches at first. We reduced it. I believe that it would be better than 8, I think it would accomplish the purpose we have in the Bill better.

2576. I take it your principal approval of this Bill is because you think it would prevent boats going upon grounds where it is well known these small fish are to be had?—Yes. It would prevent also a lot of people destroying the small fry as they used to do before we had the North Eastern Fishery Board in operation.

2577. You think that at the present time boats find it profitable to go to these grounds where as you say it is well known small fish are to be found?—Yes.

2578. There is a market for these small fish?—There is a market for them, but not what is commonly called of commercial value—of course not.

2579. It is a market that might be said to apply to very poor people, I suppose?—Well, the poor people will get fish perhaps when they would not if it was not for that.

2580. What do you suppose would become of the little fish in *that* box now?—Well, in the Humber there are perhaps four or five men who used to fish certain months solely for that small fish, and they now have to turn their attention during these months to something else, and the people get the advantage of the rest of the small fish having an opportunity to grow.

2581. Take this case—I will not say on these special grounds, where you think they go particularly to get the small fish, but on the ordinary grounds—say in a haul there was a certain proportion of these small fish came on board dead, would you be in favour of the destruction of those small fish, or what do you suggest should be done with them?—That is rather a difficult question. I should prevent them from bringing the small

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certainly,

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[Continued.]

Mr. William Redmond—continued.

certainly, and I believe in many cases they would be thrown overboard while alive and would grow and help to replenish the sea.

2582. You know, I have no doubt, as a practical fisherman—you say you have experience in practical fishing—that it very often happens that a very large proportion of the small fish come on board dead. I want you to be very clear about my point, which is this: Do not you think that it would be little short of wilful waste in a case where a fair proportion of undersized fish came on board dead that there should be an Act of Parliament making it absolutely necessary that they should be wasted and thrown overboard by prohibiting the sale?—I think the stopping of the sale is the only way to prevent it, and the proportion of the undersized fish, such as we are now dealing with, in deeper water is so very small that it would make but very little difference to anyone.

2583. You do not think at all that the effect of this Act would be, while raising the limit of the sizes of fish, that a certain class of people would be deprived of an article of food?—Well, a small class might. The longshore people, as I have said, used to eat the small stuff from the Humber. They have not the opportunity now, and I do not think anyone suffers.

2584. You think that the interest of the fishing industry generally would be favoured by this Bill?—I am sure it would.

2585. Do you think the general feeling of owners of and those interested in making their living in the fishing trade, is in favour of this Bill?—Yes.

2586. They are in Hull?—Yes.

2587. And in Grimsby?—In Grimsby and in Scarborough, and in Aberdeen.

2588. In fact, in every place except that dreadful place Lowestoft?—Except one or two small places.

2589. Would you be surprised to hear that amongst those interested in the fishing industry in Ireland there is a pretty strong opinion that this Bill, making a hard and fast limit as to the size of a fish to be sold, is considered a hardship and a grievance?—Yes, it may be so in some parts of Ireland, where the small boats along the coast with seine nets get it.

2590. I must really ask you is it not on the face of it rather a stringent thing to make in an Act of Parliament an inch limit under which—no matter how slightly under it—it would be illegal to sell a fish?—To draw the line so very tight as all that I must say it is, but you must draw the line somewhere.

2591. Do not you think the figures in this Bill are rather high?—No, I do not see how you can alter them.

Captain Sinclair.

2592. May I ask you about the evidence given by Mr. Hellyer in regard to scientific research. Do you generally agree with what he said as to the desirability of this country doing more in that direction?—I certainly do agree very strongly.

2593. You think we have been very backward in the past?—We have. I say that it is a shame that there should be so little attention paid to an

Captain Sinclair—continued.

industry, and a means of produce of food to the country as is done by our Government. I get a report from America every year—a book is thick and that square—(describing)—and here in this country we have a piece of paper from the Board of Trade about that size—(describing).

2594. So far as it goes you appreciate the value the labours of the Scottish Fishery Board in that direction?—Very strongly I do.

2595. And I gather from your evidence that you think as a practical man that experience entirely justifies the strict enforcement of the territorial three-mile limit and the closing of areas?—I do believe that, and I am quite certain that if something is not done circumstances will be so painful before long that Government will have to do it.

2596. You think, so far as it has gone, the prohibition of trawling within the three-mile limit has been attended with beneficial results?—Yes, I am sure it has.

2597. The object of this Bill is to protect the well-known area upon the North Sea?—Precisely, yes.

2598. Vessels of all the countries along the North Sea fish there?—That is so.

2599. Of course any provision passed in that direction by this country, though it will be all that this country will do, will not give complete protection in that area?—No, but we are the greatest sinners. All the German vessels fish very little in those waters, because the small plaice in the German markets are worth something. They are not saleable in the markets.

2600. Can you account for that?—In Harburg I have seen the fish there all turned over and over again and thrown on one side. The people will not buy it. They believe that the fish has not reached the size and quality as when some food, and therefore they throw it away, and there is no sale for small plaice and small fish of that sort in Germany.

2601. As a matter of fact, so far as you are concerned, to put it in the words of a witness, the trawlers of this country are not protected against themselves?—That is not so.

2602. From what ports do the trawlers go? They are not very large in numbers?—The greater part, of course, is Grimsby and Hull and Aberdeen.

2603. And perhaps half a dozen smaller ports—Scarborough and Whitby, and several from Shields. We are getting a nice quantity from Shields and Newcastle.

2604. If we could place these restrictions on these trawlers, as is proposed by this Bill, we shall have done a great deal?—You will, a very great deal.

2605. Would it seriously diminish the value of this Bill if some means could be found to omit the inshore fishermen from its provisions?—I think it would.

2606. Will you please state why?—Well, I think it becomes clear from the evidence I have already given. If you stop the destruction of the small fish in the Humber they will grow big and go outside and get into deep water.

2607. Assuming we have a three mile limit all round the coast, and the prohibition of trawling within the limit, would it seriously diminish the value

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[Continued.]

Captain Sinclair—continued,

value of the proposals of this Bill if some means could be found to omit the inshore fishermen from its provisions?—I quite see the point.

2608. It is a great thing, if possible, to avoid or overcome opposition to a measure?—Yes.

2609. So that it shall be satisfactorily carried out; would it seriously diminish the value of this Bill if some means could be found of omitting the inshore fishermen from its provisions?—I think it would, because I believe it is very important that the small fish should be preserved all round the coast, and for the sake of the few people that live out of it, I think it would be a great pity and a shame not to get the advantage of the Bill.

2610. They are only a few?—They are only a few.

2611. You do not think the prohibition of trawling within the three-mile limit would be a sufficient protection?—No, I do not think it would.

2612. Though it has, in your experience, done considerable good?—It has, there is no doubt about it.

2613. Can you account at all for the Lowestoft opinion, because it seems rather inexplicable?—It is so, very. I quite agree with that.

2614. You have no explanation to offer?—No, I have not. You are quite right when you say it is inexplicable. I cannot give you any reason. They will find it out in time the same as everyone else. They will wish that they had gone in for a protective measure.

2615. Is their market the same as the markets for Hull and Grimsby?—Practically so; it is an open market.

2616. All the fish not used locally comes to London?—London and other places, and distributed from Lowestoft to Cambridge and all the inland towns.

2617. Can you from your experience give any data upon which you base your opinion that fish in recent years has been more largely used as a food commodity among the people?—Yes; fish as an article of food became very much more popular from the time of the Exhibition in 1883, and the fishing industry has grown more rapidly since that time than any other. I may say the quality or the advantage of fish as a food has become more widely known, and is very much more generally known.

2618. Is that confined to the well-to-do classes?—I do not think so particularly. I think all classes as far as their means allow them like now to eat fish. I think most people have discovered that it is the best brain food.

2619. Has that been accompanied by any alteration in price?—Yes, fish has increased in value. All fish is very much more valuable today than it was 20 years ago.

2620. There is more demand?—Yes; it is worth twice as much more. There was a time when we thought soles were dear if we sent them away at 6d. per pound; now we think they are very cheap when we send them away at 1s., and that is very seldom.

2621. Generally speaking, the price has gone up?—Yes, there is no doubt about it. If it had not been for the increase of price the trade would have been ruined before now.

0.26.

General Goldsworthy.

2622. Could you say why the large Iceland fish should fetch so much less money than the others?—There is always a prejudice in matters of this sort. I do not think they ought to fetch so much less, but the fact is they do. They are a darker and coarser looking fish, and some of them are much too large for the general use of the frying-pan, and so on. There is a prejudice against them, and they are not so good in quality either, as I consider.

2623. Would this Bill, if passed as it is, tend to make good sized fish more plentiful and cheaper?—I do believe that.

2624. Good sized fish?—Yes, certainly; I do believe that.

2625. Therefore, of course, from a fisherman's point of view you would rather sell a few good sized fish than a large number of under sized fish?—That is so.

2626. Because you get a better price for them?—That is so.

2627. As regards the poorer classes, who consume these undersized fish at the present moment, you think that they would get almost an immediate benefit from the passing of this Bill?—Yes, they would get cheaper offal fish, such as haddock.

2628. And better fish?—Yes, no doubt about it.

Sir Brampton Gurdon.

2629. You said the containing fish in that box were worth about 1s. 6d. to 2s.?—I should think about 2s.

2630. Therefore, the remaining 400 or so would would be worth about 6s.?—Yes, that is so.

2631. Do you think it would pay a trawler to go out and bring in only those big fish and sell them, and throw overboard all the small ones?—No, I do not think so.

2632. Then what will happen if this Bill passes, and he cannot sell the small fish?—He will not go for the ten; they will be allowed to grow together until they get bigger.

2633. He can go to places where they can get more large fish without small ones?—Yes, where they can get good fish; only at scarce times of the better fish they get a larger voyage on the small, and though they get less price in proportion, they get more of them, and they will say, "We will give the small fish a chance."

Mr. Harry Foster.

2634. You say you think the effect of this Bill will be to keep the trawler off the grounds where these small fish are caught?—I do.

2635. Does he go there now from choice?—Yes.

2636. He prefers going there to a place where he gets bigger fish do you mean?—No. It does not apply, I think, so much to the fleets, but our single boaters know where the small fish lie and they know they can go and fill up in a good time and bring them home and knowing what they are fetching in the market, they say: "Well, if I can get a voyage of small plaice at this price I am off after a voyage of small plaice," and they go for small plaice and get it.

2637. Do you mean to say that any single trawler finds it better to go where he can get small fish than where he can get big fish?—At times.

N 2

2638. Does

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[Continue.]

Mr. Harry Foster—continued.

2638. Does he get a much better price for the big fish?—If he could get the same quantity in either number or weight of big he would go for the big, but they may go and trawl sometimes now and we find they do not bring back for a whole voyage about three or four boxes of plaice and good stuff, and if a man can get a 100 boxes of small fish in the time and make more money there is the temptation.

2639. If he is not able then to go where he can get the temptation that he gets to-day he has to find some other place?—Then he would have to find a living without.

2640. Is not it rather difficult at the present moment for those who are fishing elsewhere to get a living?—They have plenty of work sometimes, but still they do live.

2641. Have not you to keep going further and further afield now?—Yes, with the same result. We have to go further to get the bigger plaice.

2642. You have to keep on extending the area?—Yes.

2643. Because you find so many people are dipping into the basket that the supply is beginning to get smaller?—That is so.

2644. Then you do not agree with the witness who told us that London is the only market for these undersized fish, and a particularly poor one at that?—Well, practically, it is so; but we who have a large experience in the distribution of fish, and I speak from Grimsby, where I should say we distribute, perhaps, more fish in the various parts of Great Britain than any other town, do find means of getting rid of small plaice other than London, but after all, London is the great market.

2645. Are you aware that in the London market we have had evidence that there have been occasions on which the poor people would not even take these undersized fish at a gift?—I do not doubt that at times.

2646. That 100 tons of it have been destroyed?—I have seen 100 tons of it destroyed myself.

2647. So that even London itself, which is said to be the only market, is apparently a very uncertain market?—It is so, but you will not find small fish this year thrown away because you cannot find a market, because it is becoming so scarce. There was a time when people used to bring full cargoes of the small. Small fish themselves are much less. Where they could get 2,000 boxes of small in a couple of days it would take them a week to do it now.

2648. So that even the small are finding now a ready market?—They are finding a better market than they used to do.

2649. They are brought in in large quantities, I understand?—They are brought in at times in large quantities.

2650. If this source of supply of these considerable quantities in a rising market is suddenly cut off, what effect do you think it will have upon the price of the fish above the sizes mentioned in this Bill?—It will give a larger supply of larger fish.

2651. Yes, in time, if your theory is correct, but the little fish will not grow into a big fish in a week?—No.

Mr. Harry Foster—continued.

2652. In the meanwhile, what will happen to the market?—There will not be so much plaice sold.

2653. It will be scarcer?—Yes, scarcer.

2654. Therefore, being scarcer, it will be dearer?—It will be a bit dearer, although the small does not affect the price of the large very much.

2655. You said a moment ago, as I understood, that so great is the demand now and so limited the supply, that even this small undersized fish is readily fetching a market to-day?—Generally it is so; you have the evidence in the box.

2656. Therefore, I put it to you, if that source of supply is cut off until the fish have done growing into big fish, which takes time, the demand will be no loss in the market for plaice, but the supply will be smaller?—The supply will be smaller.

2657. Therefore you would obviously expect the price to go up, for the time being, at any rate?—Yes.

2658. You also said, with regard to this undersized fish, that the habits of the people with regard to the consumption of fish had altered very much since the Fisheries Exhibition of 1883?—Yes, there has been a greater demand since then.

2659. And that the poor get the fish when their means allow them to?—Yes, when it is down to their price.

2660. Then I think you also told us, with regard to this undersized fish, particularly on the coast up in Lincolnshire, that it was the poor who mostly bought this fish which you called uncommercial fish?—Yes, I should say they got most of the small stuff.

2661. Would not the effect obviously be if this Bill were passed, to cut off that supply of cheap fish from the poor within their means?—Yes, that would not mean a great deal.

2662. You spoke about Lowestoft opinion. Are you aware that the reason why the Lowestoft fish trade, speaking of it as a whole, objects to this Bill is that while it will subject the fish to a number of harassing restrictions as to inspection and all the consequences of it it will not in their opinion stop the destruction of the undersized fish. Rightly or wrongly that is their opinion?—I believe that is the opinion of a very great many of them.

2663. Supposing there is any foundation for that opinion, it is not such a very unintelligible one, is it?—No; I do not agree with it, of course.

2664. I know you do not agree with it?—There will come a time when they will find their mistake out.

2665. That is their view?—I believe that is so.

2666. Their view is that apart from keeping people actually off the grounds by legislation no measure which will merely discourage fishing on certain grounds will be effective?—I think it will.

2666*. I know, but that is the ground of their opinion?—Yes, that is so. I should advise them to try it.

2667. Have not your people tried it themselves?—We have, and found it answer well.

2668. Did

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[Continued.]

Mr. Harry Foster—continued.

2668. Did not you find that you could not enforce it upon everybody; that from your point of view there were certain unreasonable people who would go on those grounds?—Not along our coast; we find poachers, the same as you do in game.

2669. I am not talking about the three-mile limit at all. I am speaking about the voluntary agreement that you remember your people came to amongst themselves some years ago to abstain from fishing upon certain grounds?—There was a class of agreement of that sort, but there was no written agreement.

2670. It was described by the last witness as an unwritten agreement I think?—We have not reached the point yet of being able to resist temptation.

2671. That is to say, that apart from absolute legislation to keep you off you have not yet kept off?—Yes, we have not.

2672. This Bill will not keep you off?—Very largely it will.

2673. That again is a question of your opinion as to what discouraging effects it will have. It will not compulsorily keep any men off any particular ground, will it?—I believe it will, most decidedly.

2674. May I point out to you that you are mistaken as to the effect of the Bill. The Bill does not propose to forbid any trawler or any fisherman from going upon any particular area?—I know it does not.

2675. Therefore I say that the Bill will not legislatively prevent any man from going on any of these grounds?—No, certainly not—not legislatively.

2676. There are some people who are not always alive to their own interests?—Not many nowadays.

2677. I thought you told us a little while ago that your own people were rather foolish in that respect. Do not you think at the present moment from your point of view that they are killing the goose which lays the golden egg?—Yes, but there are some that go and the others

Mr. Harry Foster—continued.

say, "Well, if we cannot agree and you will go, we must go too."

2678. If this Bill passes, and lots of your people think they ought not to go upon these grounds, but some other men think they ought to, I suppose the same sort of argument may prevail again?—Yes; but fishermen are people largely influenced by results.

2679. Are they?—Yes; and if they cannot get these small fish or cannot sell them when they have got them, they will leave off catching them.

2680. Are not you aware that that is the objection which is brought against this Bill at the present moment, that fishermen may be expected to be guided by results, and they are not likely to go to places where it does not pay them?—No, they will not, therefore they will not go here.

2681. But they are going here?—Yes, because really it does pay. I am not arguing that it does not pay. Unfortunately I know that it has paid.

2682. Are you aware that you are the first witness who has given evidence before us who has suggested that it pays for fishermen to go and catch undersized fish?—Yes; but I have seen several cases where it has paid.

2683. Individual cases?—Yes, I speak from experience.

Chairman.

2684. If the English market were shut to undersized fish, do you think there would be any probability of the foreign trawlers resorting much to the North Sea nurseries?—I do not think so. We get more undersized fish from foreign trawlers into this country than is consumed in those countries altogether.

Mr. Harry Foster.

2685. In your opinion if we were to prohibit the sale in London of undersized fish would that practically kill the mischief?—No, I am afraid not. I think it wants to be in all our great markets anyhow.

Friday, 29th June 1900.

MEMBERS PRESENT:

Mr. Ritchie
Mr. Vaughan Davies.
Mr. George Doughty.
Mr. Harry Foster.
General Goldsworthy.
Sir Cameron Gull.

Sir Brampton Gurdon.
Mr. Seale-Hayne.
Mr. Graham Murray.
Mr. William Redmond.
Mr. Rothschild.
Captain Sinclair.

MR. GRAHAM MURRAY IN THE CHAIR.

Mr. JOHN LOVE McNAUGHTON, called in; and Examined.

Chairman.

2686. Do you live at Buckie?—Yes. I am a Solicitor and Town Clerk of Buckie.

2687. Buckie is on the north shore of the Moray Firth?—Yes.

2688. You are Secretary, I think, of the Moray Firth Fisheries Association?—Central Secretary.

2689. Tell us what the Moray Firth Fisheries Association is?—It is an association composed of line and drift net fishermen on the Moray Firth. We have got a number of branches in different towns and villages round the Moray Firth, each branch having a local organisation, and a secretary; and I am the central secretary.

2690. What is the number of your Association?—We have about between 4,000 and 5,000 fishermen directly subscribing to the Association; but as a matter of fact the Association really speaks for the whole of the line fishermen round the Moray Firth, who number altogether over 10,000.

2691. I suppose you have both directly subscribing members, and also have your society members, so to speak?—No. There are a large number of poor fishermen in all the villages. They do not generally subscribe, but in any emergency we can get money from them. We get sufficient money for our needs without calling on the poorer class.

2692. Those are occasional contributors, really?—Yes.

2693. Do they come to your meetings?—They do. We make our local meetings open to all fishermen.

2694. Now, have your Association considered this Bill?—Yes, we have considered this Bill.

2695. Are you in favour of or against the principle of the Bill in prohibiting the sale of undersized fish?—We are in favour of the principle of the Bill.

2696. Do you approve of the sizes?—We approve of the sizes also. I may say that they would have preferred if the sizes had been made a little larger, but they are quite willing to take the proportions in the Bill.

2697. To take the sizes as they are?—Yes.

2698. Has it been the experience of the Moray Firth fishermen that the supply of fish of recent years has increased or decreased?—The experi-

Chairman—continued.

ence of the Moray Firth fishermen decidedly has been that the supply of fish has decreased of recent years.

2699. Are they of opinion that it would tend to the increase of the supply of fish if the killing of the undersized members of the fish tribes was stopped?—Certainly. Those fish would have a chance of arriving at maturity.

2700. Do they think that this Bill, if it became law, would indirectly contribute to the stopping of the killing of those fish?—They do consider it would indirectly contribute. What they would consider the best method of stopping it would be the protection of certain areas—the closing of certain areas.

2701. But failing that they think that the Bill would be helpful in that direction?—It is doubtedly.

2702. Direct prohibition, of course, has not been put in force in the whole of the territorial waters of Scotland by Statute?—Yes.

2703. And by bye-laws in certain waters connected with Scotland, but not strictly territorial waters?—Yes.

2704. Of which the great example is the Moray Firth?—Yes.

2705. In the view of yourself and those you represent has the stopping of trawling within those areas been beneficial?—Yes, that is our opinion. Of course, the Committee know that the closing of the Moray Firth has been interfered with seriously by other circumstances within the last few years, that is by the incursion of foreign trawlers.

2706. Also for a period during which the bye-law was held to be bad?—Yes. The British trawlers took advantage of a short period of a few months during which there was a dispute in the Courts of Law whether the bye-law was good or not.

2707. Of course, the presence of the foreign trawlers prevent you having the chance of certainty of result which you would have if the trawlers were entirely excluded?—That is so. There are two reasons why no certain statistics are available with reference to the effect of the closing of the Firth. The first reason is that according to our view the firth has not been effectually

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Mr. McNAUGHTON.

[Continued.]

Chairman—continued.

effectually closed because trawlers very often have come in and poached there—British trawlers. Then the incursion of foreign trawlers within the last few years has had an effect. Then another reason is that the Fishery Board itself has not been able to take proper steps to collect statistics. In our opinion the machinery at their disposal for that purpose is quite inadequate for the collection of sufficient statistics. If they had a really well-equipped and decent-sized steamer for the purpose of collecting statistics in the Moray Firth they would be in a very much better position to judge of the results.

2708. In your view are the territorial waters much frequented by small fish?—Yes, they are; a certain class of small fish.

2709. Is the Moray Firth in your view also a nursery for small fish?—No doubt a very important nursery for small fish. There are large and important spawning grounds in the Moray Firth, and the young fish in great numbers make the Moray Firth their habitat.

2710. I suppose I may take it is the unanimous opinion of those you represent that the opening of the Moray Firth would be a mistake?—Undoubtedly; a very great mistake.

Mr. George Doughty.

2711. How long has the Moray Firth been closed?—It was closed in 1892, I think.

2712. I suppose you are aware there is a strong difference of opinion amongst even men that should know as to whether there is any real increase of fish in the Moray Firth in consequence of the closing?—I am aware there is a difference of opinion.

2713. You, I suppose, have had every opportunity of judging and forming such an opinion as you have expressed. You have expressed a definite opinion that there is an increase of fish in the Moray Firth in consequence of its being closed. You have such experience as would give you a wide knowledge of it?—I may tell you one point on which I founded my opinion, and that was that for the first two or three years after the closing of the firth, I got constant reports from the fishermen and the branches, that there were great numbers of small fish to be found in the firth.

2714. I understand that you have an opportunity of hearing the fishermen's opinion on the question?—Yes; I have.

2715. Would you say what you believe to be the fishermen's opinion of the result of closing the Moray Firth?—Yes, as I have explained to the Committee already, the closing of the firth has been seriously interfered with in recent years.

2716. You think, then, that if foreign trawlers could be excluded from the firth, as well as British trawlers, that greater advantage would accrue?—I have no doubt of this, that a very great advantage would accrue from the closing of the firth to foreign trawlers.

2717. Are there many foreign trawlers frequenting the firth?—There have been a good many the last two years.

2718. Do you know what nationalities they

Mr. George Doughty—continued.

are?—A number of nationalities; mostly Danish, I think, and Dutch.

2719. If that kind of thing is to continue, the advantage of closing the firth, of course, would be lost, would it not?—To a certain extent.

2720. If the foreign trawlers are allowed to increase, surely the advantage of closing the firth must cease?—No; not in my view. I can give a reason for that.

2721. Let us have your reason?—My view is that it is an evil to have the foreign trawlers fishing in the Moray Firth. It would be a very much greater evil if we had not only foreign trawlers, but also the British trawlers fishing in the firth. Moreover, were the Government, in consequence of the presence of foreign trawlers, to throw open the firth, that would be practically in my view a policy of despair. It would prevent them using this as a lever to get an international agreement for the purpose of the protection of areas. To keep the firth closed would prove to foreign countries that the British Government was entirely sincere in its effort to protect the nurseries of small fish.

2722. You could scarcely expect the British fishermen to agree with that view of yours, could you?—It is quite true that British trawlers would for a short time get a certain advantage by the Moray Firth being thrown open to them, but they will admit very readily themselves that if they had a right of unrestricted fishing in the Moray Firth, it would not be very long before the Moray Firth was not worth fishing.

2723. You said something about British trawlers trespassing there. Is that a fact?—Yes.

2724. How many cases have there been during the last year?—Very few cases in which they have been captured.

2725. How is that? There is a gunboat there regularly, is not there?—We have very frequently complained of the inadequacy of the service of police. The gunboats are not nearly fast enough to catch the trawlers, for one thing.

2726. Is it not a fact that there has been only one prosecution that has been successful last year?—I believe that is so.

2727. Therefore one would conclude from that that there is not much breaking of the law?—It is a very easy matter for a trawler to slip in over the line during the night, and it must be remembered that a very prolific fishing ground is just over the line, and that is Smith Bank.

2728. I am desirous of protecting the character of the Scotch fisherman from these charges?—Yes, no doubt; a very laudable object.

Sir Cameron Gull.

2729. I think you say your association only includes line and seine net fishermen?—No, line and drift net fishermen.

2730. No trawlers?—No.

2731. Do these line fishermen catch many immature fish?—Comparatively a small number, they do get them sometimes on the hook.

2732. Do they land them?—Very few of them.

2733. Therefore, as far as the association you speak for is concerned, this Bill is really not needed?—Well, it is needed, in this way, that if the

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[Contd.]

Sir Cameron Gull—continued.

the object of the Bill is attained, that is by restricting the catch of small fish, you increase the supply of large fish. That will benefit our fishermen. At certain seasons of the year, our fishermen catch a good many halibut, turbot, and other flat fish on the line, and if the capture of immature fish is restricted, and the supply of larger sized fish consequently increased, our fishermen would benefit.

2734. Have your association considered how this Bill is going to prevent that destruction?—Yes.

2735. And how is it going to prevent it, in your opinion?—We consider that if fishermen are prevented from selling small flat fish below a certain size, they will not go to the grounds where those small flat fish, and practically only those small flat fish, are generally to be found.

2736. I suppose you are aware that these flat fish, with the exception of plaice, can all be sold in foreign countries at the present moment?—Well, my information is that there is practically no market for those small fish in foreign countries, especially Germany, that they do not consider them fit for food there.

2737. I have not the exact reference to it, but there is evidence, I think it was in Hamburg or one of those places, that you never saw anything much bigger than an 8-inch fish?—I find it very difficult to believe that.

Mr. William Redmond.

2738. You agree with the limits of the Bill as to the sizes?—Yes, subject to the explanation I made before, that we have no objection to the limits being made a little larger.

2739. You would prefer to have them, if anything, larger rather than smaller?—Yes.

2740. You think that at the present time people go to the grounds where they really expect to get small fish?—Yes, I do.

2741. And practically do a trade in small fish?—Yes, I do think so at certain seasons.

2742. If the Bill were passed it would practically put an end to the trade in small fish altogether?—Yes, we hope so.

2743. You think that would be a good thing in the interests of the poorer classes of consumers?—I do think so in the long run, and not a very long run either.

Captain Sinclair.

2744. Does this Smith Bank lie within the closed area of the Moray Firth, just within or outside it?—The greater part of it. There is a small part outside.

2745. A large portion of it is inside?—Yes.

2746. Though you regard this size limit proposal as useful and helpful, you do not regard it as an adequate substitute for the closing of areas?—No, I have a very strong opinion on that point.

2747. Would you say this, that the closing of areas preserves valuable nurseries for young fish, and the fact that a large number of mature fish cannot be caught there does not destroy the value of the closed area as a nursery?—No.

2748. You see the point I wish to bring out?—Yes, I do.

Captain Sinclair—continued.

2749. That the presence or absence of a large number of mature fish is not necessary to prove that it is a valuable nursery for small fish?—No; because it is perfectly well known that fish spawn on the off shore, and the eggs and larvae come floating into the bays and firths, and into the comparatively shallow waters, in fact; and there the young fish lie till a certain size, and then they go out into the sea. In that sense the Moray Firth, which I speak more particularly, is a very extensive nursery for young fish.

2750. You regard that as a point established beyond doubt?—Beyond doubt. The Fish Board in Scotland has distinctly said on several different occasions that the Moray Firth is a considerable nursery for small fish.

2751. Would you go so far as to say that it would be quite wise to substitute the closing of these areas by law instead of by bye-law; would you close them by legislation; at present they are closed by bye-law?—Yes.

2752. Should you go so far as to support the advice their being closed definitely by legislation?—Of course, with reference to extra-territorial waters it would require an international agreement to do that.

2753. So far as it affects our own fishermen, those that are within our own control, at present the Moray Firth is closed by bye-law only?—Yes.

2754. All that prevents British trawlers going in is this bye-law?—Yes.

2755. From your experience of the closing of these areas, and your opinion of the value of the closing of these areas, would you go so far as to say they ought to be closed by law?—I would.

2756. I want to ascertain your opinion. Do the Moray Firth fishermen go to the eastern margin of the North Sea, the great bank?—We have heard so much about on this Committee running from Texel down the eastern margin of the North Sea?—The banks where the flat fish are caught; they do not go there. They go as far as the Bergen Bank, on the coast of Norway, in the spring, and catch flat fish. They do that, but they do not go to those particular banks.

2757. That is not your fishing ground?—No.

General Goldsworthy.

2758. You said you approve of this Bill as it stands, though you would like the sizes a little larger?—Yes.

2759. In place of an international agreement for more effectually dealing with the whole question?—Yes.

2760. You cannot deal with it more effectively without an international agreement, can you?—The Fisheries?—The British Government cannot close areas in extra-territorial waters without an international agreement. They can close them as far as their own trawlers are concerned if they choose to do so.

2761. You said you wanted a well equipped steamer, as regards size, speed, and things of that sort. Can you tell the Committee what you would call a well equipped steamer, or what you

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[Continued.]

General Goldsworthy—continued.

ou have now?—That is for scientific experiments only.

2762. That is the same as we had evidence of before?—Yes, that is all.

2763. You say you want one with more power, and more speed than you have at present?—Yes.

Mr. Harry Foster.

2764. Can you tell me if you have any knowledge of the North Sea Fisheries?—Yes, I have a little, gathered from information received from our branches.

2765. What I rather meant was in your position at Buckie in connection with the fishing trade, have you any direct connection with the North Sea Fisheries?—Yes. Our fishermen fish very largely in the North Sea.

2766. Where is their market, Buckie?—Yes, Buckie. They will also go into Wick or Aberdeen. It depends how the wind serves.

2767. That would be the trawlers?—No, the line fishing boats.

2768. And the drift net boats?—Yes. The drift is only used for herring.

2769. Do your men catch any large number, or do your men bring to market any large number of these immature fish?—They do not bring to market many immature fish.

2770. Do you agree with the evidence given by Dr. Fulton, that there is practically no market in Scotland for these undersized fish?—We have no market.

2771. As far as your knowledge goes?—As far as my knowledge goes, I agree with that.

2772. You can only speak within the range of your own experience—Yes.

2773. As far as you know there is practically no market for the fish under the size mentioned in the Bill—Yes.

2774. Therefore there is no inducement as far as you are aware, for the fishermen that you are acquainted with to catch these small fish?—No; as far as our fishermen are concerned.

2775. Then if they do bring them ashore, I presume that is because they have found them in their nets as part of their catch?—They never get those flat fish in their nets; they only use their nets for catching herring; it is the line and the hook only we use for white fish.

2776. You have no knowledge with reference to the great capture of these fish alleged against the trawlers?—No direct knowledge.

2777. You know, I suppose, that the great burden of complaint is that the bulk of this damage is done by steam trawlers?—Yes, I know that.

2778. As far as your experience goes you can tell us nothing on that point?—No, not of my own personal experience.

2779. You are aware, I presume—I ask you this because you are a solicitor—that we have power to legislate even in extra-territorial waters against our own fishermen?—Yes; the British Government can impose any laws on its own subjects.

2780. It has been stated to us that Great Britain supplies by far the largest number of steam trawlers in the North Sea—these various grounds, and that Great Britain does the bulk of

Mr. Harry Foster—continued.

the damage, putting the case that way, that is done. In your opinion, would it be advantageous for Parliament to pass a measure closing those areas, if they can be sufficiently defined, even although it might not be international. Would you think that would be beneficial?—I have no doubt that if that were done it would ultimately increase the supply of fish, but the Government must take other circumstances into account. It must take the sense of the country as well with it.

2781. I am not asking questions about what may or may not be the difficulties in the way of a Government in carrying out any particular measure; I am asking you whether you consider such a measure, if it could be passed, would be beneficial to the fisheries?—From the point of view of securing a supply of fish, I have no doubt it would.

2782. I understand your view on this Bill is that you are in favour of it because you think it will do something to increase the supply of fish?—That is so.

2783. That is to say, you think it may have that indirect effect?—Indirect, certainly; it is not direct.

2784. The indirect effect of keeping the men off certain grounds where these fish are caught?—That is so.

2785. Can you indicate to me any grounds where the fishermen, in your opinion, would be kept off by this Bill, and where they resort now?—Yes.

2786. Let us take the case of your own men?—This Bill, of course, does not affect our men so much as the trawlers.

2787. Does it affect them at all?—Very little except in this sense, that if those small fish are not caught on certain grounds they will eventually leave these grounds and go to other waters where our men will have a chance of catching them when at maturity.

2788. You are speaking of the benefit you expect from the Bill?—Yes.

2789. I am asking you from the point of view of interfering with the methods of the men?—It will not interfere with our men at all.

2790. They will not go to any different grounds to what they go to to-day?—It will not be necessary.

2791. The Bill will not keep them off any grounds to which they resort to-day?—No; but for another reason it is perfectly well known that by line and hook you catch very few immature flat fish.

2792. As far as your men are concerned, you think they are doing no damage, practically speaking?—No appreciable damage.

2793. Then this Bill will not touch them, one way or the other; as far as any restriction is concerned upon them, this Bill will not touch them?—No.

2794. But they do hope it will benefit them, because they hope this Bill will turn some little fish into big ones in time, and they hope to get those big fish?—Get their share of them.

2795. Taking that line of argument, would not it be better to prevent the destruction of a mature

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mature fish than of an immature fish?—A fish ripe for spawning?

2796. Would not that be much more beneficial to fishermen than preventing the destruction of immature fish?—That is a question for an expert to determine. I should say the destruction of ripe fish would also be a bad thing for the fishing.

2797. Would not it be rather a worse thing to destroy a fish that can reproduce hundreds of thousands of its species than a fish that has not got to the time of maturity; would not it be more directly destructive to the fishery?—It would.

2798. Therefore, from that point of view, it would be beneficial to the fishing ground to prevent the destruction for a time of all fish?—Of ripe fish.

2799. Of all fish?—Certainly.

2800. Immature, because they might grow to maturity, and mature because they were reproductive?—Yes.

2801. In other words to stop the fishing altogether for a time?—No, I should not say that.

2802. I am not saying you would recommend that, but I am saying that that would be on that line of reasoning more beneficial?—I should say this that I think it would be a very beneficial thing for the whole fisheries if the accepted spawning grounds were protected. It is well known that fish congregate within certain areas to spawn at certain seasons of the year, and if trawlers were prevented from trawling over those areas it would be an incalculable benefit to the fisheries.

2803. I suppose it would be also very beneficial to the fisheries, would it not, if half the trawlers now ploughing the deep were now taken away. Do you think that would be beneficial to the fisheries?—I am not prepared to assent to that.

2804. From the same point of view of the fish supply?—I am not prepared to assent to that proposition baldly.

2805. In what sense are you prepared to assent to it?—There is a great extent of fishing grounds that can only be fished by trawlers, and we know that in consequence of the great extension of steam trawling, new and foreign fishing grounds are constantly being opened up. For anything I know, there may be sufficient grounds to accommodate all the trawlers who have left, and do leave the inshore fisheries comparatively alone.

2806. You do not think the North Sea is being over-fished?—I do think the North Sea is being over-fished.

2807. My question was directed to that?—I do, but I am quite ready to go into that.

2808. I began by asking what you knew of the North Sea, and I have intended all my questions to relate to the North Sea. You are aware that the main point to which our attention is being directed on this Committee is the fisheries in the North Sea?—Yes.

2809. And that it is alleged it is there the damage is done to the immature fish?—Yes.

2810. Then may I put it to you in this way: In the North Sea do you think it would be beneficial to the fisheries if half the trawlers

Mr. Harry Foster—continued.

could be taken away?—That is a very wide question.

2811. It is a very simple question. Surely you are in a position to answer it. Do you think the fisheries would be benefited if the number of trawlers sent there every year was reduced? Putting it in another way, I think that the supply of fish from the North Sea is decreasing and that if there were not so many trawlers fishing on the North Sea the supply of fish would ultimately increase.

2812. You think it would be beneficial to the fish supply?—If the number of trawlers were reduced.

2813. That is my question?—I think it is very likely it would be, but as I said before that is a very wide question.

2814. Why is it a wide question?—It is a question more for an expert than for me. I can only look at it from a particular point of view. I know the supply of fish from the North Sea is decreasing.

2815. Have you the opinion that that is a consequence of over-fishing?—Partly.

2816. What is the other reason?—Partly over-fishing with reference to mature fish and partly the destruction of immature fish.

2817. Is not that part of fishing?—Of course. I separate the two things.

2818. Partly by the destruction of full-size fish and partly by the destruction of under-size fish?—Yes. It may be that if the numbers were adequately protected, there would be sufficient supply of large and mature fish for the present fleet.

2819. Now you said you thought that on the whole the closing of these areas in Scotland had been beneficial. On what ground did you draw that conclusion?—I think I said before that I had a great many reports from fishermen about the closing of the Moray Firth that there were large quantities of small round fish specially got in the Moray Firth within the next two or three years.

2820. When you say your fishermen do you mean the line fishermen?—Yes, I have the experience of the others.

2821. Naturally, the line fishermen would be in favour of closing any area?—The policy of the Association which I represent has always been to secure as far as possible a continuance of the productiveness of the fisheries, a keeping up of the supply of fish.

2822. That does not answer my question: I have no doubt what you say is quite correct. What I asked you was whether naturally the line fishermen would not be in favour of closing any area?—Experience has forced him to that position, of course.

2823. It leaves him free from the competition of the trawlers, or free from the disturbance of trawlers?—Certainly, if the trawlers do not fish in the inshore fisheries, the line fishermen will have freedom to work.

2824. Therefore, obviously quite apart from any scientific results, the line fisherman as such is benefited by the closing of an area?—Yes.

2825. Now I suppose you are aware that numbers of these undersized fish are packed in sea, and come into the market with what are called

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called sizeable fish, marketable fish?—Yes, I do know that.

2826. Have you considered the question at all that this Bill would compel the fishermen at sea to very carefully sort all their catches in a way that they are not accustomed to do now in order to avoid the penalties of the Bill?—I believe that the fishermen at present sort their catches to a great extent. Certainly it would force them to throw aside small fish which this Bill has struck at.

2827. While to-day quite apart from the question whether they will get anything for them or not, having got the fish they may put them indiscriminately in the trunks and send them to market, they would be compelled under this Bill to desist from that, whether it restored the fish to life or not. They would be compelled to desist and only send to market fish above a certain size?—They could only send to market fish above a certain size. I take it at present they do sort their fish.

2828. Are you competent to give such an opinion?—No, it is not within my province, but I believe it is so.

2829. I asked you whether you had considered that question?—I have seen fish in various markets in Aberdeen, and Glasgow, and Billingsgate. I have often seen them in Billingsgate, and I have seen they do sort the fish, and put the small ones below and the big ones above, as a rule.

2830. Possibly I ought to have put the question in this way. Have you considered the delay and disadvantage to fishermen in those cases in which at present they do not carefully sort the fish?—I do not think there would be much delay or disadvantage, but I do not express an expert opinion on that point.

2831. The matter has not come under your observation?—No.

Sir Brampton Gurdon.

2832. With regard to the number of trawlers, I understand your theory to be that if the number of trawlers were reduced by half the number that are fishing the North Sea, that would be even worse, because the enormous number of trawlers there are now are obliged to seek fresh fishing grounds, and if they find good fishing grounds other trawlers follow, so that the large number tends to diminish the number in the North Sea?—That is so far correct; I believe it is over fishing in the North Sea which has forced trawlers to go further and further afield to get at fresh grounds. I believe that.

2833. Even if the number of trawlers were reduced it would not be an advantage?—Certainly it would not be an advantage not to open up new fishing grounds if they can find them out.

Mr. JAMES COWIE, called in; and Examined.

Chairman.

2848. You are a fisherman, I think, at Buckie?—That is so.

2849. A line fisherman?—Yes.

2850. How long have you been at the job?—0.26.

Sir Brampton Gurdon—continued.

2834. They would be less likely to open up fresh grounds?—I do not know that now.

Chairman.

2835. One question about the trawlers. You were asked if you knew anything about the destruction of small fish by trawlers and you said you had no experience?—No personal experience.

2836. Have you had a great many complaints from line fishermen of the destruction of small fish by trawlers?—Yes, very often.

2837. That is a very common form of complaint?—I have often been told by our fishermen that they have seen trawlers putting them overboard.

2838. It is a very common form of complaint of the fishermen, is it?—Very common.

Mr. Seale-Hayne.

2839. You expressed an opinion, or you were led into expressing an opinion that the catching of a ripe fish which could re-produce was even worse than the catching of small unproductive fish, fish that had not come to maturity?—I did not intend to put it so baldly as that.

2840. If you catch and destroy a ripe fish the chances against any of the ova of that fish coming to maturity is about a million to one?—If you catch a ripe fish.

2141 There would be only a possibility of a very few of the ova ever coming to maturity?—Yes.

2842. But if you catch fish which are under-sized and have not come to maturity, that is to say not to the reproductive stage, then of course you are catching fish which have passed all these dangers and which are likely shortly to become mature?—Yes.

2843. Now, under those circumstances, are you prepared to adhere to that opinion you expressed just now?—Well, the view I would rather take is that both are very serious evils. The catching of too many ripe fish is a very serious evil; the catching of immature fish is also a very serious evil. It is rather a question for an expert to say, which is the more serious of the two.

2844. You do not profess to be sufficient expert yourself to give a definite opinion?—No. I would say certainly in both cases it is an evil.

Chairman.

2845. How many fishermen have you got in Buckie?—There are 2,351 resident fishers in the Buckie district, and non-resident 1,490.

2846. Does that extend from Inverness round, or does that go into Morayshire?—No.

Captain Sinclair.

2847. That is not the whole district of the Moray Firth?—No, the Buckie district only.

Chairman—continued.

I have been 50 years, I suppose; upwards of 50 years.

2851. The fishing ports are very near together, are they not, in the Buckie neighbourhood; there

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there are fishing ports all along that coast?—Yes, all along the Moray and Banffshire coast.

2852. You are well acquainted with the opinion of the fishermen of those districts?—Generally so; I should be well acquainted with it.

2853. Now, have you seen the proposals of this Bill?—I have.

2854. Are you in favour of them?—Yes.

2855. Do you think it would do good to the supply of fish if the sale of fish under the sizes specified in the Bill were prohibited?—I think so.

2856. Do you agree with the sizes in the Bill, or would you like them, if you had your own way, bigger or smaller?—I should think that the sizes, if slightly larger, would be more beneficial.

2857. I believe, as a line fisherman, you do not catch many fish under the sizes in the Bill yourself?—Very few.

2858. As far as you know, there is no market for those very small fish in Scotland?—None.

2859. So that, of course, the Bill would not in any way interfere with you?—Not with the line fishermen.

2860. On the other hand, do you think that the Bill indirectly would promote the growth of larger fish for you to catch, or have the chance of catching?—I think so.

2861. You remember, of course, when the whole of the waters were entirely open to trawlers?—Yes.

2862. You remember, of course, the legislation which shut the three-mile waters all round, and then the bye-law which shut the Moray Firth?—I do.

2863. In your opinion, has the result of that legislation and bye-laws been beneficial to the supply of fish?—As far as the area of the Moray Firth is concerned I could not say, because it has not been practically closed altogether, and the benefit from that we have to see yet. So far as we have seen there are more small fish in the Moray Firth since.

2864. Since the protection, even partial as it has been?—Even partial as it has been.

2865. You were in the room, and heard Mr. McNaughton giving his evidence?—Yes.

2866. Does that in your view truly represent the opinion of the fishermen with whom you mix?—It does so.

Sir Cameron Gull.

2867. You said that since the closing of the Moray Firth you think there are more small fish. What evidence have you of that?—We bring some of them ashore upon the line. We do not use any net for these small fish; we get some on the hooks.

2868. I thought you said you got very few small fish?—Very few small flat fish. We catch very few of them.

2869. Does your remark that you thought there were more small fish mean there were more small flat fish or more small round fish?—Round fish.

2870. You have no evidence to show whether or not the closure of the Moray Firth has in-

Sir Cameron Gull—continued.

creased the supply of small flat fish?—No. I have no evidence of that.

Chairman.

2871. You have not a great many flat fish in the Moray Firth?—Very few.

Sir Cameron Gull.

2872. Therefore this Bill really directly does not affect you practically at all?—Not to such an extent. If the young flat fish were prevented from an immature state, and got out into deep water and bred, we should get benefit then.

2873. So far as the Bill is concerned, it will not affect your methods of fishing, and it will not affect the pecuniary results of that fishing?—No, as far as the line fishing is concerned.

Captain Sinclair.

2874. Is there still much trawling in the Moray Firth?—Yes, there is a good deal of trawling in the Moray Firth yet.

2875. That is the belief of your men?—We see it.

2876. There is no doubt about it?—There is no doubt about it.

2877. Is that by foreign trawlers?—I could not say if they are all foreign trawlers, because they scarcely get near enough to pick up their numbers in the Moray Firth, if there are boats coming along they cover up their numbers or fly away, but we have counted 13 at a time of foreign trawlers in the Firth.

2878. Are you sure they were all foreign?—Yes.

Mr. George Doughty.

2879. Fishing at one time?—At one time.

Mr. Harry Foster.

2880. You said you thought this Bill would be a good thing for the fishermen?—I think so.

2881. What are the grounds of that opinion?—Because if we do not save the young fish they never come to maturity. If we can save the young they will come to maturity some time.

2882-3. Does that mean that you are in favour of anything you think will save the young fish?—Yes.

2884. How do you think this Bill will save the young fish?—It would just prevent them from being taken when in an immature state.

2885. Do you think the Bill will prevent them from being taken?—It would be a means of doing so. It would prohibit people from doing it.

2886. I want to know why you think this Bill would prevent the young fish being taken. How do you think the Bill is going to do it; is it by preventing them being landed and sold, or how do you think it will prevent them being taken?—Keep people off the breeding grounds and getting them in an immature state.

2887. Which breeding grounds do you mean?—The inshore grounds.

2888. Such as the Moray Firth?—Yes, breeding within the territorial waters; the inside of the Moray Firth within the territorial waters.

2889. Do not you know that now there is power

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power to close all those territorial waters against trawling?—Yes.

2890. Then the Bill will not do anything to help that; you can already close them by the fishery boards?—Yes.

2891. Therefore, apart from that, how is this Bill going to prevent small fish being caught?—They will spawn without the territorial waters.

2892. How will this Bill protect those young fish; they will still go into trawls?—Yes, they will go into the trawls, but I am not acquainted with trawling.

Mr. Harry Foster—continued.

2893. You do not understand that part of it?—Immature fish will scarcely take our hooks.

2894. When you said you were in favour of this Bill, what you meant by that was, that if this Bill will protect the young fish and the immature fish then you would like that?—Yes.

2895. You would like anything that would prevent the immature fish being killed?—Yes.

2896. That I can understand, and I suppose all fishermen would say the same?—No doubt of it.

Mr. GEORGE WEBSTER, called in; and Examined.

Chairman.

2897. You are a Fisherman?—Yes.

2898. You come from Great Yarmouth, I think?—Yes.

2899. You have been a trawl fishing boat owner?—Yes.

2900. For about 30 years, I understand?—Yes, not an owner 30 years, but a fisherman and owner as well for 30 years.

2901. How long have you owned a trawler?—About thirty years.

2902. Have you been an owner of a trawler for that time?—I have been an owner about 30 years.

2903. More than one or just one?—More than one.

2904. How many?—When first I had to do with trawling I was like a good many more. I had to go as cabin boy and work my way up until I got half a ship, and then I got a whole one, and then I had six at the finish.

2905. How many have you got now?—I sold four at Christmas time, so I have only got two.

2906. You also hold a skipper's certificate, I think?—Yes.

2907. You are thoroughly acquainted with the trawl fishing industry as practised from Yarmouth?—Just so.

2908. Where do you fish from Yarmouth?—We fish from up as high as Orford Ness down as low as Heligoland.

2909. How far out do you go?—Right over the other side, over on the Dutch coast, and along the German coast.

2910. Do you fish on these banks which extend from the Texel Bank to the Horn Reef?—Over the Texel Bank.

2911. Do you fish near there?—Yes.

2912. Do you fish over the bank that extends to the south from Texel Bank?—All about there.

2913. Now, you have seen this Bill, I understand?—Yes.

2914. Do you approve of it or object to it?—I object to it in this way: if you will allow me for this reason. We cannot help catching these small fish, and the unfortunate part of it is that after we have caught them they are dead before we can put them overboard.

2915. Would you object to any prohibition against selling fish of a small size, or is it merely

Chairman—continued.

that you object to the particular sizes which are specified in the Bill?—I do not object to the sizes at all, because it is like this, if you will allow me to explain myself. We catch these small fish, and as I say we cannot help what comes to the net; we are obliged to take these, and the consequence is by the time we get them on deck and can put them overboard they are dead and useless.

2916. As it is at present, do you get a certain price even for the small ones?—We get a very small price for them, but they are mixed in along with the others and we get a certain price for them and they feed certain peoples' insides.

2917. It is the price that you object to, having to surrender if the Bill becomes law?—I do not object to that at all. I would not mind that if I could see my way clear to its going to be any benefit to the fishing industry at large, but I cannot see where the benefit is coming in.

2918. That is a question on which I will give you an opportunity of saying what you want to say in a moment. What I want to know is this, as far as you are concerned you object to the Bill?—I object to the Bill.

2919. Is the way in which the Bill would hurt you that you would have to give up the price of the small fish which you say you cannot help catching?—I do not think the price has got anything to do with it at all; for my part I do not think it would benefit the price at all.

2920. What do you mean by benefiting the price?—Because if those fish are not allowed to be brought on shore when caught they would be thrown overboard, and small as they are the quantity there is to fill a trunk would amount to little or nothing. I think, if I understand you right, you think it is the amount a vessel would lose not earning the money by bringing these small fish in.

2921. I am not thinking anything, I am asking you what you think, which is perfectly different?—That is what my opinion is.

2922. What is your opinion?—My opinion is that it will not benefit the trade, not in the least.

2923. Your opinion is that the Bill would not benefit the trade?—Not the least.

2924. I understand that. In the meantime I want to know two facts. First of all, at present you

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[Continued]

Chairman—continued.

you do, as a matter of fact, kill fish under the sizes of the Bill?—Yes, because we do not measure all the fish we get.

2925. You do catch fish under the sizes of the Bill?—We are obliged to take anything that comes to our net.

2926. You do sell them?—We do sell them.

2927. Do you get anything for them?—We get a trifle because they go with the others.

2928. If the Bill passed you would not get that trifle?—No, because we should not be allowed to bring them ashore.

2929. Do I understand you to say that your objection to the Bill is not based upon the question of the money that you would lose?—No, it is not based on that exactly, not altogether.

2930. It is a little, I suppose?—It is a little.

2931. Now, I will give you the opportunity on the other branch of the subject you want to go to. You say you do not think this Bill would really do any good?—No.

2932. Now, as a matter of fact there are certain grounds in the North Sea where it is well known there are a great many of these small fish, are there not?—Just so.

2933. One of them I mentioned to you a short time ago, past the Texel. Would it pay you, do you think, to go to that ground to fish, if, as a matter of fact, you were not allowed to sell any of the small fish you got there?—Yes, if you could not go anywhere to better yourself.

2934. By which you mean, if you could not get anywhere else better to go?—Just so.

2935. If the small fish were not allowed to be sold do you or not think that there would be places that it would be better to go to?—No.

2936. Do you think the supply of fish in recent years has decreased in the North Sea or not?—Considerably. It has decreased certainly.

2937. What do you attribute that to?—Because there are so many of us catching them, to what there used to be; so much trawling going over the ground.

2938. You think there is too much trawling?—Certainly.

2939. Do you think the number of small fish that have been killed by this increased number of trawlers is a bad thing for the fish supply?—Certainly it is.

2940. What would you wish done in order to stop the destruction of small fish?—You cannot stop it. The only way you can stop it, as far as my idea is concerned, is to make about three months close season of it, and then there is no use in closing this side of the water if you do not close the other.

2941. You would like a close season over the whole of the North Sea?—I do not say I should like it. I am only saying that is the only way to stop it.

2942. I do not say you would like it, but that is what you think would be the most effective remedy against the destruction of fish?—That is the only remedy you can find for it.

2943. A close season all over?—Yes.

2944. How many trawlers are there at Yarmouth?—They have decreased wonderfully lately. I do not think they have above 50 now as a rough calculation. I cannot tell you exactly.

Chairman—continued.

2945. You are aware, are you not, that the Grimsby trawlers want this Bill to pass?—Yes, I have heard they do, but I am not sure. I am not acquainted with the Grimsby men much.

2946. They say, or at least some of them have come here to say they think that if you stop the law the selling of fish under these sizes it would not pay any longer for boats to go to the nurseries as they are called and catch the small fish. Do you agree with that or not?—They would go there if they could not go anywhere better, but they get large soles with these fish.

2947. But of course better is just a question of which pays best?—But the job of it is that they cannot go anywhere better.

2948. Better I say just depends of course whether it pays or not. Better is better paying is it not?—They cannot go anywhere to earn more money or else they would not go there. They could go anywhere to better themselves they would go.

2949. I do not know anything about it myself, but I want to know your opinion. I want to know whether you think if the small fish market was gone it would any longer pay to go to the nurseries in the North Sea?—They would go to just the same as they go on now.

2950. You think it makes no difference?—It makes no difference. They go there to get the biggest fish they can get.

2951. Of course, at present, while they get the biggest they can get they also get a certain price for the small?—The unfortunate part is because the big fish are decreased. There is no big fish particularly in the sea.

2952. And also there is a fairly good certainty of what you call a fill up in the banks?—I do not know about that. There is not much to fill up anyway just now.

2953. There is a better chance of filling up in these banks than there is elsewhere?—Yes. Where are the banks? They are all over the sea.

2954. I am talking of the nursery banks. The nursery banks are all over the sea?—About; we know some parts of the sea better than others.

2955. I am talking of the nursery banks in the North Sea?—Yes.

2956. You are quite acquainted with the ground from the Texel Light to Horn Reef?—Yes.

2957. I suppose you go there a great deal?—No, not lately; I was never down to Horn Reef much; I was down to Heligoland several times.

2958. I think there was another thing you wanted to say. In the Bill there is a clause which allows a Custom House officer or a Board of Trade official, if he suspects that you have fish under the size to detain the packages and examine them; are you of opinion that that would be a serious hamper to your trade?—I should think so, and I will point it out to you if you will allow me. Suppose I am in Yarmouth here, and I come in here on Friday afternoon or Friday evening, just time enough for the market and we have these fish stowed and this man comes aboard and says, "I want to look at these fish you must turn them out." The consequence is through the time they are looking after this fish the market is lost. They should be in Billingsgate

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Chairman—continued.

gate on Saturday morning. By allowing them to lose Friday night's train they will not be in Billingsgate before Monday morning. Of course that would be a serious job, particularly in the summer months.

2959. You are afraid of a detention or losing the market of the fish?—Certainly; we are afraid of several things in that way.

Mr. Harry Foster.

2960. Is it the fact that at the present moment the price you get for these fish under the sizes of this Bill is only a trifle?—It is only a trifle.

2961. Sometimes nothing at all?—Well, there is a market for them as far as that goes. They do not make a great price, we know.

2962. In your experience as a fisherman, do these trawlers ever go now to any particular places in the North Sea for the sake of these small fish?—Never.

2963. Why not?—They do not go particularly after these small fish.

2964. Why do not they go after the small fish?—They do not go particularly after these small fish. They go where they can get the biggest, and the small ones are mixed up along with them.

2965. Would the small fish pay if they caught it?—If they could sort them out. They go and get big fish and the small ones beside. They will not go where small fish are, but the small and big fish are mixed up together.

2966. You said you could get a small price for some of these undersized fish. Would you have any objection to surrendering that price if you felt it was going to do any good to the fisheries?—Certainly I would.

2967. You do not understand my question. Would you have any objection to giving up that price, whatever it may be, if you felt it was doing any good to the fisheries?—Certainly not. If I thought that was going to do any good to the fishing, I should give up that price.

2968. Then it would not be fair to say, would it, that because you object to giving up the price therefore you object to the Bill?—I object to the Bill for that reason.

2969. It has been said by those who are in favour of this Bill that Yarmouth and Lowestoft object to it because it will touch their pockets and make them give up some of the price. What I am putting to you is, is that the ground of your opposition to this Bill?—That is not the full thing. They would put that on one side if they could see any benefit was going to arise from it, if it was going to increase the quantity of fish.

2970. You object to being called upon to give up even a shilling if it is not going to do any good?—If it is not going to do any good.

2971. You would not mind making some sacrifice if it is going to benefit the fishing industry?—If it was going to increase the fish we should be only too pleased to do it.

2972. You have been asked whether you go upon that ground between the Texel Light and Horn Reef. Do you go there for the purpose of catching small fish or for the purpose of catching big fish?—We go there on purpose to catch the big fish, as big as we can get.

Mr. Harry Foster—continued.

2973. Wherever you go fishing, is it for the purpose of trying to catch big fish?—The bigger we can get the better we like it.

2974. Because you get a better price?—Certainly.

2975. If this Bill were passed and you were not allowed to land and sell sole or plaice under eight inches, or turbot and brill under ten inches, would it make any difference to the places to which you go for your fishing?—Not a bit.

2976. It is to the interest to-day, is it not, of every trawler to go where he can get the biggest fish?—Yes.

2977. And whether this Bill passes or not he will still go there?—They will go there just the same.

2978. In your experience, has a man ever gone for the sake of catching only the little fish?—Never.

2979. Your opinion is that if this Bill were to be passed it would not alter the habits of the fishermen as to the places they went to?—Not a bit. They always go where they can get the biggest fish.

2980. Because that has the best market?—Because that has the best market.

2981. With regard to the catching of these fish, how long is the trawl down as a rule?—That is rather uncertain.

2982. Between what?—They mostly keep them down now five or six hours, and some longer.

2983. Would you say the average was between five and six hours?—About five or six hours.

2984. When the trawl comes up on deck is it the fact that something like from 80 to 90 per cent. of the fish are dead?—Yes.

2985. That is of the whole of the catch?—That is the whole of the catch.

2986. I suppose of the very small fish, therefore, the percentage will be even higher?—The smaller the fish the sooner they die.

2987. After they have been landed on deck, and the trawl has been emptied out, some little time takes place before they are sorted, does it not?—Yes; they have to get the net down, and perhaps they have to get a reef down. Perhaps there is an hour or an hour and a-half elapses; perhaps longer than that.

2988. So that by the time that has all been done, and the sorting commences, is it the fact that very few of these undersized fish are alive?—There is not one out of a thousand.

2989. Do you see any difficulty put upon you by this Bill, if it were passed in the question of measuring these fish, and preventing anything under 8 inches or under 10 inches being put into a trunk and sent to market?—I cannot see how we are going to do it. I cannot see how any of us are going to do it. The master or owner does not pack the fish. He has got to lay himself open to his people.

2990. At the present moment, these fish, if they look anything like a size, are put into the trunks are they not?—Just so.

2991. If this Bill were to pass, it would be necessary to be sure that the fish was at least of the size in the Bill?—Yes. You understand me. The owner or the master of a craft do not pack

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pack their own fish. It is the men who pack the fish.

2992. It is very important, is it not, that they should be packed as quickly as possible?—The less they are pulled about the better.

2993. Is it not a fact that very frequently they have to be packed in the quickest possible time on account of stormy weather?—Yes, and not only stormy weather, but oftentimes when we are in the harbour, to save the markets, to get it away by train, you have to do it by the skin of your teeth.

2994. The question of an hour in the landing and getting off of a supply of fish sometimes makes all the difference in catching the market?—An hour, yes, and so does 20 minutes sometimes.

2995. That is considered so important, is it not, that the Great Eastern Railway Company have given special facilities for the quick handling of fish at Yarmouth and Lowestoft?—There is a fish train leaves every night a little after eight.

2996. Do you want to say anything about the difficulty you see of delay; that is the very question I was asking you, in the event of the Board of Trade officials requiring to examine the packages?—That is where the delay would come in.

2997. First of all there would be the difficulty on the vessel itself of examining and sorting sufficiently nicely these fish so as not to break the law?—Just so.

2998. When they are landed you have some criticism as to the delay there might be if this Bill were passed, because of the examination of packages by the Board of Trade official opening the boxes, and so on?—Just so; if the fish were stowed in the way I read the Bill an official might come and say: "I want to see this fish shot out and see what is in the box and what the box contains."

2999. That would mean unpacking the case again?—That would mean unpacking the case again; the consequence is that they would have to be shot out and they would have to be repacked again; possibly that would lose the market. As I said, instead of getting to our market to-day they would not get up until to-morrow.

3000. Is there anything else you want to say?—No, no further than this; I must tell you it is not in consequence of the small fish being caught; but while you kill the spawn you will have no small or big, it is the spawn that these trawlers kill, which you do not see.

3001. The spawn never comes to the fish market?—The spawn does not come to the market at all. It does not come on to the land at all; that is the secret part of the business.

3002. Do you say the trawls destroy large quantities of spawn?—It kills large quantities of spawn—tons of it.

3003. Have you ever seen that yourself?—Yes.

3004. What have you seen?—Seen the spawn hanging about the nets.

3005. Would you have any objection to closing certain areas for a certain season in the year?—I should have no objection. That is the only thing that will save the business; but that is no use this side of the water if the people on

Mr. Harry Foster—continued.

the other side of the water can do it; because you know it is not the quantity of vessels we have got on this side of the water but the quantity they have on the other side of the water.

Sir Brampton Gurdon.

3006. What is the tonnage of your trawler?—About 50 or 55 tons; that is about the size of mine.

3007. How many men do you carry?—Six hands.

3008. Besides the master?—No, six all told.

3009. Then you keep your trawl down five or six hours?—Yes.

3010. It depends rather upon the wind?—Wind and weather.

3011. When you draw your trawl in you sort at once, or at least as soon as you can?—As soon as they can. As fast as they can, too, they pick the other fish up, and they let all the muck and rubbish be to the last.

3012. And each fish is handled?—No, not the little fish, not what they put overboard.

3013. There is a certain number so small that they must be put overboard at once?—That is put overboard along with the muck.

3014. The next smallest, I suppose, you eat on board?—We do not eat them all.

3015. You do eat a good many of them?—They do not eat many plaice. The most they eat is gurnets and whittings.

3016. Not flat fish?—The dabs they eat.

3017. About what size do you keep to eat?—4 or 5 inches?—About 4, or 5, or 6 inches.

3018. You would not keep them under 4 inches?—No.

3019. You simply throw them overboard?—They would go overboard mixed up along with the muck.

3020. You have heard a good deal about the bank from the Texel Light to the Horn Reef. Have you observed that there are a greater proportion of small fish there than in other parts?—No, there are no more small fish there. At Horn Reef I believe there is a lot down there, but I do not know about the Texel. I do not see any small fish about there more than anywhere else.

3021. You do not go up to the Horn Reef much yourself?—No.

3022. Down there you think there may be a good place for small fish?—I could not answer that at all.

3023. You do not know any place where there are nothing but big fish?—No.

3024. Do you know any place where there are more big fish in proportion to the small ones?—Not about the North Sea, not just now. There used to be years gone by, but not just now.

3025. You say that which is the real harm is the killing of the spawn?—Yes.

3026. That you could only stop by a close time; that would be the only way?—Yes.

3027. That must be by an international agreement?—Yes.

3028. What months would you close in?—If I had my idea, I should close them in May, June, and July.

3029. What would you do with your boats then

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[Continued.]

Sir Brampton Gurdon—continued.

then?—We should have to do the best we could, the same as we shall have to do now.

3030. If there were a close time you could not go out at all?—We should have to give it up. We should have to go lining, or something or other, or otherwise we should have to go on the parish.

3031. Would you only make it a close time for trawlers?—That is all.

3032. Then you might go lining?—We might go lining or driving.

3033. In lining you do not catch many small fish?—You do not catch many small fish on a line.

3034. What do you call driving?—After herring and mackerel and sprats, and such like.

General Goldsworthy.

3035. Are your vessels steam vessels or sailing vessels?—Sailing vessels with steam capstans.

3036. Are they of sufficient size to enable you to go to any part of the North Sea?—Any part of the North sea; there are no restrictions on it.

3037. They are of sufficient size to enable you to go anywhere; they are big enough?—Yes, I should not mind going anywhere with them; I would go to the far end of the world.

THE RIGHT HONOURABLE C. T. RITCHIE TOOK THE CHAIR.

Captain Sinclair.

3047. Supposing you had a close time, how would you enforce it?—I have not thought that out; I cannot answer that.

3048. Is there any prohibition on trawling in the territorial waters off Yarmouth; are you allowed to trawl within the three mile limit off Yarmouth?—English vessels are.

3049. There is no prohibition?—No prohibition; but there is no trawling done about Yarmouth.

3050. It is all out in the sea?—It is all out in the sea.

3051. What is your market for these small fish; where do they go to?—Some are sold in Yarmouth, and some are sent up to Billingsgate.

3052. Which is the big market for them?—Billingsgate.

Mr. William Redmond.

3053. You agree, I am sure, the same as every other sensible man does, that if it could be managed it would be a good thing to prevent the destruction of the small fish?—If that could be done; but it cannot be, not while the trawlers are allowed to go along.

3054. I quite understand that, but you agree with everybody else that if these little bits of fish that are of very little use could be preserved it would be a good thing?—But it cannot be done.

3055. I will come to that in a moment. If it could be done it would be a good thing?—But you cannot do it.

3056. You know that the limit in this Bill is 8 inches for the sole and plaice?—Yes.

3057. Do you know that if this Bill passes and becomes law every fisherman who sells a sole or plaice 7½ inches long is liable to be fined 2*l.*, and if he does it twice he is liable to be fined 10*l.*?—I know that.

3058. What do you think of that?—I do not think anything of it at all.

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Captain Sinclair.

3038. Your opinion is that there is too much fishing in the North Sea?—Too much trawling.

3039. Why do you say there is too much?—For this reason: the trawling has not been existing long. I never knew this question was coming up, but I do not suppose it is above seventy or eighty years.

3040. A short time?—Yes.

3041. The trawling does harm by killing the ripe fish—big fish—as well as by killing the unripe fish?—They take everything that comes to the net.

3042. What I want to ask you is this, it is quite possible to do the fishing grounds harm by killing too many of the ripe fish?—Yes, you cannot stop them killing the fish.

3043. I know you cannot, but if too many people are killing the big fish, that does the fishing harm?—Just so.

3044. You approve of closing areas?—Yes.

3045. Or a close time?—I do not press that, you understand.

3046. But you think it would be a better remedy than this is?—A great deal. I do not consider this would be any remedy at all.

Mr. William Redmond—continued.

3059. Do you think it is unjust?—I think it is an unjust business altogether.

3060. Do you think that is the opinion of the fishermen you know of?—Everybody in Yarmouth, I believe; I think I may speak for all of them.

3061. We had a gentleman here from Hull yesterday who, I believe, is the owner of trawlers, and I asked him whether he thought it wasteful to throw overboard fish, say, from 6 to 8 inches long when they came on board dead because if this Act were passed they could not be sold. The reply he gave me was rather astonishing, and I would like to ask you whether it would astonish you as well. It was this: he said the dead fish came up in the trawl on the deck dead from 6 to 8 inches, and instead of throwing them overboard he said it was the habit on the ships he knew to hand over all the soles from 6 to 8 inches to the crew to eat for their breakfast?—All of them.

3062. Yes all of them?—No, certainly not. They are not going to eat all that. It is ridiculous.

3063. Do you know what the length of an 8-inch sole would be?—Yes.

3064. Under this Bill if it becomes law it will be illegal to sell such a fish if it comes up dead in the trawl. This gentleman told us the crew would eat them. Do you think that is the case?—No, I do not think it is. I do not think there is much in that. It is ridiculous nonsense to talk of such a thing.

3065. How many trawlers do you suppose there are round the coast of Great Britain where the crew are in the habit, or would under any circumstances be in the habit of eating dead fish under eight inches that come on board for their breakfast. Do not you think it is nonsense?—Decidedly it is.

3066. You started your evidence by saying what I have been contending all through, and it is

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[Continued]

Mr. William Redmond—continued.

is this, that a large proportion of the fish when they come up in the trawl are dead?—Yes.

3067. If this Bill is passed, every dead plaice or sole under eight inches and every brill or turbot under 10 inches will have to be thrown overboard?—Yes.

3068. You cannot sell it?—You cannot sell it without a fine according to that.

3069. Do you think that is wasteful?—Certainly it is.

3070. You cannot help catching small fish in the trawl?—You are obliged to take anything that comes to the net.

3071. Is it your opinion that if small fish, say from six to eight inches (soles) do come up in the trawl, and most of them are dead, you ought to be allowed to sell them?—Yes, certainly, if they are dead.

3072. It would be rather hard to fine you 2*l*. if you sell a sole 7½ inches long that comes up dead on your deck out of the trawl?—If we throw them overboard it would become useless. They will not be food for other fish; some people run away with the idea that they are food for the other fish. They are not food for flat fish. They are only food for shell fish. One plaice will not eat another.

3073. We had evidence here from a gentleman, who said these dead fish thrown overboard would be food for other fish, and in that way it would help to increase them?—Not for soles and plaice.

Mr. Rothschild.

3074. But codfish will eat them?—I have opened a good many cods in my time, but I have never seen any in a cod's spook. I have seen many herring. I have seen a dozen or 14 herrings in a cods spook. I have never seen a flat fish in a cod's spook in my life.

Mr. William Redmond.

3075. Have you heard much discussion among the fishermen of Yarmouth about this Bill?—It will not do any good. We cannot see where we are going to reap any benefit from it. If it would increase the quantity of fish, we would not say anything against it. We cannot see that it will increase the quantity of fish.

3076. May I take it that your opinion is this, that you oppose this Bill because you think it will not have the effect of preventing the destruction of small fish?—That is so.

3077. If it had that effect you might have a different opinion, but as it is you think that the small fish will be destroyed, and that it is an injustice to the fishermen to say that they are not to be allowed to sell one under eight inches long?—We oppose this Bill because we cannot see anywhere that it is going to benefit the trade or the public, or increase the fish at all. That is the very thing.

3078. Do you think it is a practicable thing or sensible thing to say that when you make a haul of fish you are to take a foot rule and measure every sole that comes up, and if it does not come exactly to eight inches you are to throw it overboard?—How are you going to do it on a dark night, when we should have to look among the fishes with a candle or a lamp. Do

Mr. William Redmond—continued.

you think we should be running about the sea with a rule to see how long they are?

3079. If it is a quarter of an inch over 8 inches you can sell it and not break the law, but if it is a quarter of a quarter of an inch under 8 inches, you will be fined 2*l*. if you sell it. Do you think that is pretty hard lines upon fishermen?—Who would have to pay that 2*l*?

3080. Whoever sells it. Do you think that is an absurd thing?—Decidedly,

Sir Cameron Gull.

3081. Do you speak only for yourself, or do you speak for other trawl owners of Great Yarmouth?—I am speaking for the trawling industry in Great Yarmouth. That is what we are sent up here for.

3082. Have you had a meeting to consider this Bill?—Yes.

3083. Have you a district fisheries committee at Yarmouth?—I believe not.

3084. Yarmouth is too wise, and knows too much about the fish?—Too much; most fishermen in Yarmouth who have anything to do with the boats.

3085. They know their own minds about this Bill?—They know their own minds about the Bill.

3086. And they have not got a fisheries committee composed of men other than fishermen to express their views for them?—No.

3087. As regards the practical question of the separation of this fish, can you tell the Committee exactly how it is done? As regards dealing with the haul of fish when you get it on deck, how do you deal with it?—I can explain that.

3088. Will you explain how you deal with the fish, and what happens to it. Explain the whole thing, because we want to know exactly. I know what a trawl net is. That comes off the boat with the poke at the end, as we call it, the cod end is the name for it. These fish go into this cod end. There is a pair of slings round the cod end; they hook a tackle and slings and up they come, and they are all squeezed up together. It is enough to squeeze the fish of ourselves, much less fish.

3089. What happens then?—They are the pockling, and they are shot out on deck.

3090. What happens?—They lie there until we have time to pick them up.

3091. I want to understand the whole proceeding after you have shot them out of the net do you, first of all, begin to sort them, or do you then put the net down again?—We generally let the fish be till the last thing.

3092. You put the net down first?—We put the net down first.

3093. Does that take some little time?—That takes some little time, and in a sailing boat perhaps they have to get a reef up or a reef down, or shift a jib, or something of that kind, but the fish and the muck is always left till the last thing.

3094. After you have got the net down and started off again you begin to sort the fish?—Yes.

3095. What is the average time that elapses between the fish being emptied on deck and your being ready to start to sort them?—I should

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should say an hour and a-half, taking one time with another—one and a-half to two hours.

3096. Then you sort these fish? How is that done?—We get a trunk, and we pick the plaice up in one trunk, and we pick the soles up in another, and if there is a turbot we pick that up, and perhaps throw it down, and we let it lie there and let it kick about there until we get these other fish below, and then if our gear is down we sweep the small fish on one side; the small fish some three or four inches long, we can form an idea, we sweep on one side down what we call the lee-scuppers, that is on the lee quarter. These fish are all swept down in the lee scuppers, and those fish will remain there until they get the net up again before they are put overboard.

3097. This Bill would not compel you to take any other steps?—Not a bit.

3098. Do you sort them in sizes roughly or not?—No.

3099. You sort them according to the different kinds of fish?—That is all.

3100. Not as regards their size?—No.

3101. On this ground which has been alluded to from the Texel downwards, what proportion of immature fish, or fish, rather, which would be prohibited being sold under this Bill, would you get in an average haul; can you say at all?—The fish are very uncertain, sometimes we get perhaps a ton, and at other times we would not get perhaps $\frac{1}{2}$ cwt.

3102. Do you get these small fish at all seasons of the year, or only certain seasons of the year?—We get more small fish in the summer time than we do in the winter time.

3103. Do you fish on these grounds all times of the year?—We fish on the grounds about the Texel all times of the year.

3104. And you find fish there all times of the year?—Yes. Sometimes they are scarce, and we have to go somewhere else.

Chairman.

3105. Could you say how much of this small fish you get in the course of the season?—No, I never kept that account.

Sir Cameron Gull.

3106. As a practical fisherman, is there any likelihood that, if this Bill were passed, you would not go to these grounds?—We should go to those grounds just the same.

3107. You would kill just as many fish?—We should kill just as many fish.

3108. The only difference would be that you would probably throw overboard, and therefore waste, a larger proportion of the fish than you do now?—That is what it would be.

3109. Then as to the difficulties of sorting; you mentioned it having to be done at night; how often do you raise your trawl?—We generally make about two hauls in the night; that is one in the middle of the night. We put it down just in the evening, or just after dark, and we haul it up again in the middle of the night; and we pull it up and gear it up again when it gets daylight; we generally make one dark haul.

3110. You say it would be almost impossible to go and measure each one of these doubtful fish?—Well, sometimes they are glad enough to get them up, and pick them up out of the way

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Sir Cameron Gull—continued.

altogether. How would you like to be picking them up when the icicles are hanging to your fingers? How do you think the fishermen like it?

3111. It was put to you by the Local Advocate that Grimsby and Hull were in favour of this Bill; are you aware of any practical fishermen who are in favour of this Bill from those parts?—No.

Chairman.

3112. Do you know anything about the opinion of Grimsby and Hull?—No, I do not know particularly about that.

Sir Cameron Gull.

3113. Now, as regards the market for your fish, where do you usually sell them?—Sometimes we sell them in Yarmouth, and what we do not sell in Yarmouth we send up to Billingsgate market.

3114. Do you ever sell them at sea to Germans?—Sometimes our vessels go over into Ymuiden, that is the new harbour that has been made there just above the Texel.

3115. Do you sell them in Germany?—We sell them in Ymuiden.

3116. Are you aware that in Germany, with the exception of plaice, there is no restriction as regards the sale of small fish?—I was not aware there were any restrictions on fish at all, not in Holland.

3117. Do you find at the present moment, if you wish to, a perfectly free market in Germany?—We have always had a free market there.

3118. As regards all kinds of fish, and all sizes?—Yes.

3119. Therefore, even assuming the Bill was passed as regards English ports you would still be able, so far as you are aware, to take your fish to German ports?—Certainly we should.

3120. Do you ever sell to any other foreign ports than Germany?—We do not sell in Germany, our people do not. I do not know what other people do at Grimsby. I am only talking about Yarmouth. We go to Ymuiden, that is the principal place.

3121. But still there you have that perfectly free market for the fish that you catch, if you wish to catch them?—Yes.

3122. Therefore this Bill will have no effect as regards preventing you going to particular grounds?—Certainly not, we should go in. If we could not sell them here we should go there and sell them.

3123. Can you suggest any other object that the Bill has besides preventing your going to those grounds?—No, I cannot see how you can stop people going about the sea.

Mr. Vaughan Davies.

3124. Do you not ever cook and eat any of the fish that you catch on board your trawlers?—Yes; we always have them for breakfast.

3125. You and the crew all eat them?—Yes.

3126. And at other times besides breakfast?—Not very often; only at breakfast.

3127. Occasionally?—Not very often.

3128. Occasionally?—No, I do not know; not in Yarmouth vessels. I come from Yarmouth and I am talking of Yarmouth vessels. If you

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Mr. Vaughan-Davies—continued.

were to feed our Yarmouth people on fish twice a day they would soon begin to grunt about it.

3129. Do you think the Yarmouth people are different to other people on board trawlers?—I think they are, in a certain measure.

3130. Have you ever been on board a trawl from any other part of the world but from Yarmouth?—I was never on any other vessels particularly—not a trawl—only Yarmouth vessels.

3131. They might eat them on board other vessels; they eat more fish than the Yarmouth men?—Very likely they do, for this reason. At most other places, Lowestoft, and different places they are on the shore, and they eat the fish to spare the meat.

3132. Therefore it is possible that if they get a number of small fish they would be eaten by the crew?—They could not eat all the fish they caught.

3133. Not all, but the small fish?—They would burst themselves.

3134. I asked you as to the small fish?—No, they could not eat all what they caught.

3135. They could eat a great deal of it?—They could not eat one-tenth part of it, or one hundredth part.

3136. How do you know how many they catch? You yourself said that on a small haul you would only catch, perhaps, 1 cwt., big and small?—And sometimes they catch a ton.

3137. Supposing they only caught 1 cwt. big and small, could not they eat most of these small ones?—I should not think so.

3138. You mean you people at Yarmouth prefer beef to fish, and therefore you think of everybody else does?—If they eat one part out of eight they would have a good tidy lot amongst six of them. If they eat one stone out of one hundredweight they would have a full lot.

3139. Coming to another point, do not you think a great many of these small fish you haul up in your trawl are alive when you get them on deck and could be saved?—No, there is not one out of a thousand.

3140. Do not you know that when these fish come on board deck there are a great many of them alive?—No, there is not one out of a thousand of them alive. I never saw them, although I have been to sea 30 years too.

3141. Not one out of a thousand?—Not one out of a thousand.

3142. Not one of these small immature fish?—Not one out of a thousand.

3143. And you have been at sea 30 years?—I have been at sea 30 years.

Mr. George Doughty.

3144. I have been very much interested in your evidence. How many vessels are there out of Yarmouth now?—They have decreased wonderfully this last three or four years. I do not think we have above 50 trawlers out of Yarmouth at the present time. That is all we have now since Hewitt & Co. have laid up.

3145. How many hands do each of these vessels carry?—About six.

3146. So you have now out of Yarmouth about 300 men and boys fishing?—Well, yes; there are some shorers as well.

Mr. George Doughty—continued.

3147. Twenty years ago, Yarmouth was a flourishing fishing port?—Yes.

3148. How many vessels would there be out of Yarmouth and Gorleston at that time?—About 20 years ago is just the time they began to increase a bit then. I should say there were betwixt 800 and 900 then.

3149. Then when Yarmouth was in the zenith of its fame as a fishing port, there were nearly a thousand?—I should say there was over a thousand.

3150. Can you tell the Committee how it is that in so short a time they have been reduced to 50 vessels?—I can give you an idea of it. I can remember Yarmouth when there was only 20 vessels, less than there is now, that did not carry a trawl, with a beam average about 30 to 33 feet long; on the average they used to be about 33 feet long. The thing has increased so much; these steam trawlers have got the Otter gears, and they go and spread 50 or 60 feet, or 70 or 80 feet, or they may spread longer. I do not know much about their gear, they spread a tremendous length now.

3151. You have no steam trawlers out of Yarmouth?—Only what few belong to Hewitt & Co.

3152. You have not answered my question as to what reason you give for this great disaster shall I call it, to the fishing trade at Yarmouth?—That is what I was explaining about. At one time we used to have these small craft which used to go trawling. They could not trawl when there was nice fair weather. In bad weather they could not trawl; in strong weather they could not trawl; and the consequence was that, taking on an average calms and gales the sea got three months' rest.

3153. Is it not the fact that the reason of the destruction of the fishing trade at Yarmouth is the great scarcity of fish in the sea?—It is the increase of the trawling business.

3154. Surely at Yarmouth you do not say that there is an increase of trawling done?—No, for this reason, because the steam trawlers have killed them, and they will soon kill themselves.

3155. I again ask you the question that is the reason that in Yarmouth there is a decrease of ships from 900 to 50 in a very few years?—Because there is not the fish. The trawlers have cleaned all the fish out thereabouts.

3156. I suppose you have been used to fishing on the south side of the Dogger Bank?—Yes, I have been down on the Dogger Bank.

3157. During your 30 years' experience you have had a good deal of fishing on the south side of the Dogger Bank?—Yes.

3158. Do you find as much fish on the south side of the Dogger Bank now as you did ten years ago?—No, it is not likely.

3159. Have you been used to fishing in what is known as Hewitt's Clay Deep?—Yes.

3160. Used you to find a lot of soles ten years ago?—We used to find a lot of soles now and again.

3161. Did you find a lot of good sized plaice there ten years ago?—Yes.

3162. What do you find there now?—A lot of rubbish now mostly.

3163. I suppose

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Mr. WEBSTER.

[Continued.]

Mr. George Doughty—continued.

3163. I suppose you have been used to fishing between the Texel Light and the Horn Reef?—I was never down as far as Horn Reef above once or twice, and then not to trawl. We got blown down there once or twice. I have been down to Heligoland several times.

3164. There used to be a fleet out of Yarmouth known as the Short Blue fleet?—Yes.

3165. Did that Short Blue fleet usually fish in the summer season between the Texel Light and the Horn Reef?—I believe they did.

3166. Did they catch during certain months of the year practically nothing but small plaice and other small fish?—I cannot say what they caught; I was never along with Hewitt's fleet, I was always single boating.

3167. You must have heard?—I suppose they did not catch any different to what we caught ourselves.

3168. Am I to take your last answer, that you do not think there are any special fish nurseries between the Texal Light and the Horn Reef?—Yes, I do.

3169. In those nurseries are there a lot of large fish amongst the small?—Yes, large fish along with the small.

3170. If evidence has been given by various witnesses before this Committee that nearly all the fish there is small fish, that is not correct, is it?—Not if they were all under eight inches, which is what you are talking about.

3171. I am speaking now about these particular nurseries you have been fishing on; what do you call large fish which you find there?—I reckon a good sized plaice about 14 to 15 inches.

3172. You find plaice the size of 14 inches, do you?—Yes.

3173. How many of such plaice would there be in a box; suppose you had six stones, how many would there be?—I do not know. I never count them like that. We have something else to do. We do not count how many small plaice there are. I cannot answer that question; I never counted them.

3174. When you are fishing on these small fish do you throw any fish overboard?—Not while it is any use.

3175. Do you thrown any fish overboard?—We chuck a few gurnets and that like overboard. We do not chuck anything overboard more than we can help.

3176. Do you throw any small plaice overboard?—No, not worth speaking about at all.

3177. A witness yesterday said, speaking of this point between Texel Light and Horn Reef, that for every six tons of fish got by a large fleet this year, 30 stones have been thrown overboard. Would you believe that?—I cannot say anything about that. I hardly believe it.

3178. You do not know of your own knowledge that any of these fleets go for the purpose of catching small plaice, do you?—No, I should rather doubt it. If they knew where to go and get any bigger ones, they would go after those. They will not go after the small ones.

3179. A gentleman of the name of Mudd gave evidence yesterday, and I want to read to you an answer he gave. I suppose you know Mr. Mudd?—I know him, I have heard his name.

Mr. George Doughty—continued.

3180. You know that he is a man of great knowledge in the trade?—Yes.

3181. I put this question to him. It is Question 2559: "You, from your experience know that vessels go from Grimsby, single boating, for the purpose of catching small fish"? He said: "I do. I mean to say—in our company we are not quite so pious as they are in Hull—our people go with the express purpose of catching small plaice." Would you differ from him in that view?—I cannot say what they do in Hull and Grimsby.

3182. Then your experience does not agree with these men?—I do not know. As I say, I do not give any particular answer. I should hardly think it is right for a man to go and catch small fish if he knew where to go and get better.

3183. Your experience does not agree with that?—If you ask me, do you think they go after small fish, I say they would not go after small fish if they could get larger anywhere. My idea is, and in fact I know that they would not go out of harbour on purpose to catch small fish if they had any idea where they could go and get large fish.

3184. There is no doubt they would rather catch large fish than small, I agree with you about that. I am very desirous of getting your opinion about this place, between Texel Light and Horn Reef. Do you say that the best proportion of the fish there is not small fish?—I do not say that the fish run very large.

3185. Under the sizes of the Bill?—No, certainly not. They are more over the sizes of the Bill than they are under.

3186. May I tell you that we had a box of fish here yesterday with 12 or 13 fishes over the size in the Bill and all the rest under, which was taken to Billingsgate Market yesterday and sold. Would that be an average kind of box which you think that those people get who fish there?—Perhaps that was a box picked out on purpose for the job.

3187. I am asking you if you think that?—I do not know anything about other people's business; I am talking about my own. Perhaps it was a box that was picked out on purpose for the job.

3188. I want to ask you, if you will be good enough to tell me, what is the average price you make for a box of small plaice? I do not mean under the size of the Bill, but small plaice?—On an average?

3189. Yes?—About 14s. or 15s. on an average. Sometimes they are more, sometimes less.

3190. How many plaice do you think there would be in a box that size?—I do not know as I told you a little while ago, I never counted them.

3191. But you have some idea?—No, I have no idea.

3192. Do you think there would be 400?—I never saw a box of undersized fish in my life, not a whole box.

3193. I am asking about the small plaice which you land at Yarmouth?—That is what I am speaking about.

3194. How many plaice do you think there would

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Mr. WEBSTER.

[Continued.]

Mr. George Doughty—continued.

would be in that box?—That is all according to the size of them, and that like. There are all sizes. It is impossible for me to tell you. As I say, I have never taken the pains of counting them. If they all measured one size and one thickness we should know it.

3195. But surely if you know it makes 14s. on an average you could give the Committee some idea of the number there would be in a box; would there be 300?—I cannot give you any idea at all.

3196. Do you know how many large size plaice generally constitute a box?—I do not know that, I never counted them; but I have put 20 in and filled a box.

3197. You are not prepared to substantiate the statement made by one witness that a box of small plaice contained as many as 500, are you?—No, I am not.

3198. And you do not know?—I do not know.

Mr. Rothschild.

3199. Earlier in your evidence you said that trawlers did most damage by killing or injuring the spawn?—Yes.

3200. You were asked by Mr. Foster, I think, how you knew that, and you said you saw the spawn hanging about the net?—Yes.

3201. I wish to know, first of all, how you know this is the spawn?—Well, I do not say what spawn it was; I say it was fish spawn; I did not say it was plaice spawn.

3202. How do you know it was not the spawn of shell-fish or crabs? Crabs, of course, carry most of their eggs about under their tail like the lobster does, but they occasionally shed it?—For this reason; because if you hold the spawn up it is almost like a jelly, and you can see fish in it if you hold it up in the sun when the sun is out bright.

3203. We have been told by other witnesses, and from what I have seen myself, that most of the spawn of the sea fish floats about in the water. If that is the case, this destruction of the spawn by the trawler must happen only while he is letting down or pulling up his net, and not because he drags it upon the ground, because the spawn is not on the ground; it floats about in the water?—My ideas do not lead me to that; I should think all spawn was on the ground.

Chairman.

3204. If it could be shown to you that this Bill would allow these small fish that you catch to grow into large fish, you would very much

Chairman—continued.

rather have the large fish than the small, would you not?—Certainly, we would.

3205. And you would be prepared to put up with a little less catch for 12 months, if at the end of that time you thought the size of the fish would be increased?—Yes; so we would for years.

3206. Small fish (I mean undersized or immature fish) grow into mature fish, do they not?—No, the fish that are caught are killed before we can get them overboard.

3207. Suppose they are not taken and are left in the sea, the small fish grow into large fish?—No doubt about that.

3208. Therefore any practical proposal allowing these small fish to remain in the sea until they become larger fish would be a good thing for the fishing generally?—If you could do that.

3209. And as I said, although it might cause a little loss for a year, or as you say two years, those who are in the habit of catching these small fish, you would willingly put up with that because of the prospect in a year or two of catching large fish?—You must excuse me, but I cannot see where the prospect is.

3210. I am asking you that question?—If I could see where the prospect was, I would say so.

3211. Small fish grow into large fish if they are left alone?—Yes, if they are left alone.

3212. One method of preventing them being caught, is it not, is to prevent them being seen?—No, that will not stop them from being caught.

3213. Are you speaking now simply of your own fishing experience?—I am speaking of my own fishing experience.

3214. Would you be surprised to hear that the steam trawlers ask for this Bill because they believe it would allow the small fish to grow into large fish?—They might say what they like. I have my own opinion just the same.

Captain Sinclair.

3215. You gave some information to the Committee and you said you generally haul in a night?—Yes.

3216. And one was a dark haul and the other was in the daylight?—Yes. What we call a dark haul, you understand, is hauling the net up in the middle of the night.

3217. Can you tell me whether there is any difference in the productiveness of a dark haul and a morning haul?—No.

3218. No difference?—You get as many fish in one haul as you do the others.

Mr. JAMES PITCHERS called in; and Examined.

Mr. Harry Foster.

3219. You have been a skipper of trawling boats for 34 years?—Yes; 34 years last Christmas I first went master.

3220. And a trawling boat owner for 28 years?—Yes.

3221. Have you been deputed with Mr. Webster and Mr. Johnson to come to us and re-

Mr. Harry Foster—continued.

present the views of the Yarmouth fishermen?—Yes.

3222. You thoroughly understand the trawling fishing industry in the North Sea?—Yes; that is, my own idea.

3223. You have heard the evidence given by Mr. Webster. Do you generally agree with that evidence?

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Mr. PITCHERS.

[Continued.]

Mr. Harry Foster—continued.

evidence?—I agree with everything Mr. Webster has said, or thereabouts.

3224. If you thought this Bill was going to do any good to the young fish would you support it?—I should, by all means.

3225. Being engaged yourself in the fishing industry?—Yes.

3226. Is your objection to this Bill that you think it will do no good to the fishery?—I cannot see what good it will do.

3227. While it will subject the fishermen to certain restrictions and penalties which they are not under now. Is that so?—Of course, as I say, I can endorse what Mr. Webster said in nearly everything. I cannot see what good it will do at all if we are not allowed to catch these small fish and bring them in.

3228. You do not think it will make any difference to the ground to which men go for fishing?—I do not.

3229. Is there anything else you wish to say?—No, I can only say I remember 22 years ago I was sailing for Mr. Fleming Hewett, who wished me to go up and speak about this question. I was then the same as I am to-day, in favour of three months' closing. That was 22 years ago last May.

3230. You were in favour of a close season?—Three months' closing.

3231. On certain grounds?—Well, for three months, from the 1st May to the last day of July. That has always been my idea about it.

3232. To let everything be undisturbed for that time?—Except we could go lining and drifting, and anything like that.

3233. You mean so far as the trawl is concerned?—Yes. Twenty-two years ago I spoke about just the same as I now speak to-day here.

Sir Cameron Gull.

3234. Do you remember in 1893 witnesses coming up from Yarmouth to speak on the fishery question?—Yes.

3235. Do you remember that the evidence from Yarmouth was rather in favour of a Bill of this kind?—Of course I do not remember.

3236. But you think Yarmouth has altered its view, and you may speak fairly for Yarmouth that you object to such a Bill of this kind?—Of course I forget about that. I do not remember anything so far back as that.

3237. Do you think the fishermen of Yarmouth are opposed to any Bill of this kind?—Yes, they are.

3238. Could you tell me at all how many boxes may be landed at Yarmouth at any one time?—I do not know.

Mr. J. R. JOHNSON, called in; and Examined.

Mr. Harry Foster.

3245. You are also from Great Yarmouth?—Yes.

3246. You have been an owner of trawling vessels for 20 years and upwards, have you?—Yes.

3247. And master of one?—14.

3248. And you hold a certificate?—Yes.

Sir Cameron Gull—continued.

3239. A considerable number?—I do not know. All I can say we have not many trawlers there now; I do not think there are more than about 40, where I suppose 16 years ago we had between 400 and 500.

3240. You agree with the last witness that in your opinion the cause of that is the steam trawling and the large extension of steam trawlers; they have cut out the sailing vessels?—That has been my opinion this last three years that the steam trawlers have done it. Of course the steam trawlers have not only ruined the trawling, but they have ruined the herring catching by what they have done at Aberdeen and Stornoway. I was at Shields four years ago with Mr. Richard Irvin, the Mayor of Tynemouth, and I told him that I thought the steam trawlers would spoil the herring fishing from North Shields down to about Buckie, and down about that way. That was my opinion, and I proved it last year. I sent a steam lugger down there for the first year to work down there, and it was five weeks, for about 50*l.* or 60*l.*, and from that I say that the steam trawlers have upset all the ground.

Chairman.

3241. You are convinced something requires to be done?—It does.

Sir Brampton Gurdon.

3242. When you haul your trawl on board what proportion of fish do you think are dead?—Well, that all depends how long the gear is down. I will give you an instance, 23 years ago I remember putting to against the Lower Buoy near Terschelling, and we stayed about an hour and-a-half, and all at once they said it was fast. We hauled up the net and we were five hours getting it in. That was about the middle of May. I never saw such a sight in my life. I will lay any one any money that if the fish had been big fish, we had 150 tons of fish. All these little things were massed among the sand, and I do not believe there was really among these fish—I suppose there were millions, and millions, and millions—four that were alive.

3243. Of course, they would kill each other in an enormous haul like that, but taking an average one?—In the sand. We took out two boxes of big haddocks all among this muck.

3244. I mean in an average haul what proportion do you think would be dead?—When we haul, that is the last thing we do clear the decks. They lie about among the muck, and we throw them over and they are all dead.

Mr. Harry Foster—continued.

3249. You have heard the evidence given by Mr. Webster and Mr. Pitchers?—Yes.

3250. Do you agree with it?—Yes.

3251. Is there anything you wish to add to it?—Well, Mr. Webster I think forgot that when we went into Ameland that was not for the small

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Mr. JOHNSON.

[Continued.]

Mr. Harry Foster—continued.

small fish at all, we went in for the soles and they were good soles.

3252. You had some small fish with you?—We got small fish?

3253. And were you able to sell that there?—No.

3254. Do you agree generally that in your opinion this Bill would do any good in preventing the destruction of the fish mentioned in the Bill?—No good whatever.

3255. It would not stop men going to the same place they fish in now?—No.

3256. In your experience there is no particular place where you get a large quantity of fish under the size in this Bill?—No. We get some small fish over that size.

3257. But you get a sufficient number of large fish to pay you for fishing there?—We get the soles.

3258. That is really what you go for?—Yes.

Sir Brampton Gurdon.

3259. I believe there is no restriction at all on the sale of small fish in Germany and Denmark?—I never heard of that.

3260. Is there any market for them there. Did you ever go to sell them there?—I never went to sell them there in my life.

General Goldsworthy.

3261. Can you tell me what is the general size of the sailing ship and also the size of the steam trawler, and the power of the steam trawler?—There is a great deal of difference.

3262. Can you tell what the general size of the sailing trawler is; what does it run to?—A sailing trawler out of Yarmouth—from about 40 to 60 tons.

3263. That will go over the whole of the North Sea?—Yes.

3264. What is the general size of the steam trawler?—I could not say the size of the steam trawlers. I should think they are 140 to 150 feet long. I could not say the tonnage.

Sir Cameron Gull.

3265. As regards the sale of this fish at Ameland, why did you not sell the small fish you had?—They would not pay the carriage.

3266. But you went into the port?—No, we were fishing off there.

3267. How did you sell the fish?—We did not pack those small fish—the very small ones.

3268. What did you do with them?—Threw them overboard.

3269. What do you call small fish?—I should say they were all over 8 inches—8 and 9 inches long.

3270. You threw them overboard?—Those under that.

3271. Those under 8 inches you threw overboard?—Yes.

3272. Do you still throw them overboard under that size?—I do not go trawling now. I gave it up five years ago.

Chairman.

3273. What used you to do with the small fish which you caught off our own coast?—Threw them overboard.

Sir Cameron Gull.

3274. Just one question as regards that sale at foreign ports. You did not sell them because in your opinion it would not pay the cost of carriage?—No.

3275. So far as you are aware there was no restriction on sale?—No, there was no restriction.

Chairman.

3276. Do you know whether there was a restriction or not on sale?—I am not positive of that.

Mr. George Doughty.

3277. I suppose you were fishing at Ameland and Terschelling when you got these soles, were you not?—Yes.

3278. What kind of fish do you catch there?—Sometimes haddocks.

3279. But speaking of flat fish; is it chiefly plaice?—It chiefly is plaice.

3280. When you are speaking of this particular place you are speaking of, were there any large plaice among them?—Very few indeed. You would not get above two or three trunks out of twenty if I should think so.

3281. They are mostly very small plaice?—Very small.

3282. Used you to go there for the purpose of getting the sole?—Yes.

3283. Do you know whether there are as many sole there as there used to be when you went to sea?—No, there is not. If there are, they do not come to market.

3284. Therefore, it would not be as profitable to fish there now as it used to be?—I should say not.

Chairman.

3285. I just want to understand this clearly. When you were actively fishing, do I understand that the fish which you caught under 8 inches you threw overboard?—Yes.

3286. Then, so far as your experience goes this Bill, which prevents you selling fish 8 inches long, would not do any harm, would it? If you threw the 8-inch soles overboard—and this Bill says you should not sell 8-inch soles—it will not matter, will it?—The thing is quite different now to what it was then; if we could have sold and got as much for the small fish, then, no doubt, they would have come to market, but there being much larger fish, and as they did not make much money, we did not send them.

3287. That is to say that you caught so many mature-sized fish that it did not pay you to pay any attention to the small?—No.

3288. But that fishing nowadays has so changed, there being a scarcity of large fish, the fishermen find a market for these small fish?—Yes.

3289. That shows, of course, that the supply is falling off?—The supply is falling off.

3290. Do you think it would be an advisable thing that some expedient should be adopted for endeavouring to protect the small fish?—Well, I cannot say that the throwing of them over will do any good. If the trawl is allowed to go down at all there will be this destruction of fish.

Tuesday, 3rd July 1900.

MEMBERS PRESENT:

Mr. Vaughan Davies.
Mr. Harry Foster.
General Goldsworthy.
Sir Cameron Gull.
Sir Brampton Gurdon.

Mr. Seale-Hayne.
Mr. Graham Murray.
Mr. Pretymann.
Mr. Rothschild.
Captain Sinclair.

MR. GRAHAM MURRAY IN THE CHAIR.

[THERE were produced to the Committee by Sir Cameron Gull three pairs of flat fish of the sole tribe which had been sent up by the Brixham fishermen, and which were identified by Mr. Rothschild, by means of Mr. Couch's book on British Fishes, as the true sole, the lemon or sand sole, and the thick back red sole, or variegated sole.]

Mr. WILLIAM GLEN, called in; and Examined.

Chairman.

3291. I UNDERSTAND you are a fish merchant in St. Andrews?—I am.

3292. Do you own any boats, or not?—No, I am in the wholesale line, buying from the fishermen, and sending to the different markets.

3293. Roughly speaking, about how many fishermen are there in St. Andrews frequenting the harbour?—From 80 to 100; we fluctuate a little; sometimes there are more than at other times.

3294. Of course there are other fishermen round the coast at various places near St. Andrews?—Yes.

3295. Are you well acquainted with the views of the fishermen upon this subject. Are you brought in continual contact with the fishermen?—Yes, I think I am. I am in contact with them every day.

3296. I believe you have come here at the invitation of Mr. Welsh, who is a member of the Fishery Board, and lives in St. Andrews?—Yes.

3297. You have of course looked at the Bill?—I have, I have read the Bill.

3298. Are you in favour or against the Bill?—I see nothing that I should be against it for. I think it is reasonable. Anything under eight inches is too small.

3299. I will take it in two ways. First of all so far as the possible hampering of anybody by the Bill is concerned, do you think the Bill would hurt your fishermen in any way?—Well, it would be the means of them having to throw overboard smaller fish than what we are marketing at the present moment.

3300. Do you think that that will hurt them to any great extent, or in reality?—I do not think it will be much; eight inches is a very small fish.

3301. Take the other side of it; has there been a decrease of fish lately?—There has been a decrease this winter in our locality; a big decrease.

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Captain Sinclair.

3302. Of flat fish?—Yes.

Chairman.

3303. Do you think that the stopping of the marketing of the small size of fish would have an indirect effect in preserving those small fish?—I believe it might if those small fish were allowed to remain in the sea a little longer.

3304. So that your attitude, as far as I can gather it, seems to be that you think the Bill will do good and that you do not see how it can do any harm?—I do not see how it can do any harm. It is a very reasonable thing, I think.

Mr. Rothschild.

3305. The Bill says nothing about catching these small fish. Is it not a fact that when trawlers go out they cannot help getting a certain number of small fish in their net?—Yes. I am in no way interested in the trawl fishing. It is hook fishing in our district a good deal.

3306. All the more reason for my question. Trawlers, from the way in which they fish, must get a certain number of small fish which the line fishermen are not so likely to catch. Therefore, whether they were allowed to sell them or not they would always catch them?—Yes.

3307. Have you ever heard any of your fishermen—that is to say the fishermen from whom you buy the fish—say that they have noticed any particular areas in the sea where they catch more small fish than in others?—Do you mean trawl or line fishermen.

3308. I mean any fishermen—line or trawl. Have you ever heard the trawlers or line fishermen say that there are parts of the sea to which they go to fish where they find there are more small fish than in other places?—Yes, that is commonly understood among all classes of fishermen. In some parts they are much larger than others.

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3309. Do

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Mr. GLEN.

[Continued]

Mr. Rothschild—continued.

3309. Do you think from what you know of these fishermen that, if they were prevented from selling these small fish it would prevent them, in any way, going to these places?—I think it would; I think it would encourage them to seek better grounds.

3310. It does not actually forbid them to go there, therefore you think that if it were possible it would be better to forbid them going to certain places, than to simply forbid them selling the fish?—Well, yes, if it were too near the shore. I would rather see them forbidden going to it.

3311. But still you think, from what you know of your fishermen who supply you with fish, that if they had not any sale for these small fish they would be less likely to go to the places where they know there are fewer small fish?—I think so. It would always encourage them to go where they get a better class.

Sir Cameron Gull.

3312. Do your men get any large proportion of flat fish?—In some seasons they get a good deal more so than in others.

3313. Can you give the Committee any idea of the proportion as between flat and round fish?—No. Of course, they go to different parts for flat fish to what they do for the round fish, in some cases. Of course, I am talking locally as regards the district.

3314. I take it the larger proportion of your fish are round fish?—Yes.

3315. Do you know if at St. Andrews any large amount of immature fish—that is fish under the size named in the Bill—are landed?—No, I do not think so.

3316. You would not say that your men caused any great destruction of these small fish?—No, I do not think it.

3317. Therefore so far as St. Andrews is concerned you do not think there is any need for such a Bill as this?—Of course it is mostly hooked fish, mostly fish caught with the hook, in St. Andrews. In Dundee, where it is mostly trawl fishing, of course it is quite different.

3318. I understand you do not come here to speak about trawling; you know nothing about that?—Well I know a little about it, but I do not profess to be thoroughly coached up in it.

3319. Are the fish put in trunks or boxes on board the ships or are they landed on the quay and there sorted?—They are put in boxes out at sea.

3320. Can you give me any idea of the number of boxes that may be landed at any time; taking a good haul?—I have seen a boat land 10 boxes and I have seen a boat, perhaps the next day or two, just land two or three off the same ground and off the same lines.

3321. Is there any particular time in the day when those boats come in in order to catch a train?—We always like to be in to catch the afternoon trains for the South.

3322. What I want to get at is this—whether at any given moment you may have a considerable number of boxes at St. Andrews waiting to catch the train?—It greatly depends on the tide. We have a tidal harbour and of course we have to study the tide as well as the trains.

Sir Cameron Gull—continued.

3323. You may have a considerable number of boxes in the harbour?—Yes.

3324. Can you give me any idea of the number?—I have seen 20 and 30 and like that.

3325. No more?—Well, no.

3326. Nothing like the larger harbours, Brixham and Lowestoft?—No, ours is only a small port.

3327. You say that the Bill would prohibit the marketing of fish which you now market?—Yes, in some cases it would. It would make the fish better.

3328. Is there a good price or not, is there a price for these small fish?—Well, no; we do not get a great deal. We would rather see the fish better selected.

3329. That is from your point of view?—Yes. I think that might be beneficial all round.

Captain Sinclair.

3330. There is no doubt that the fishermen (you speak for the line fishermen) have a harder job now than they used to have?—Very much.

3331. There is no doubt it is a good thing to do what we can to prevent destruction?—Yes. I believe fishermen in our district would have to give it up altogether if it were not for the summer—the herring—fishing to tide the tide over.

3332. At the same time, with regard to these flat fish which are affected by this Bill, not a great many are brought to shore at St. Andrews?—No.

3333. And there is no large demand for them?—No, not much demand for that class of fish. Undersized plaice are caught more in the net than the trawling.

3334. One way or the other, your people whom you speak will not be greatly affected by this Bill?—No, I do not see why they should.

3335. On the question which was asked just now, is there the 3-mile territorial limit at St. Andrews?—No.

3336. The bay is closed?—The bay is closed. Of course, we have more than the 3-mile limit in that case.

Chairman.

3337. You really mean that in your case the greater includes the less, and as the whole bay is closed you do not think of the 3-mile limit?—No.

3338. The 3-mile limit applies by statute to the whole coast of Scotland, so you cannot get out of it?—Yes.

Captain Sinclair.

3339. What I want to ask you is, do you consider that is a protection to the fisheries to have the bay closed and to have the 3-mile limit?—Yes. I should look upon St. Andrews Bay as a sort of nursery to the fishery.

3340. Then you do not consider that the passing of this Bill would in any way render these restrictions unnecessary?—No.

3341. You would require the same protection that you do now?—Yes.

Mr. Harry Foster.

3342. Do you know of any place where your fishermen go to-day to fish, or where they get these

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[Continued.]

Mr. Harry Foster—continued.

these small fish?—Yes. We get them in St. Andrews Bay. We do get a few, but not many.

3343. If this Bill were passed, would it make any difference to the place where your fishermen go to fish now?—I do not see how it would make much difference. I have tried to imagine or make out what an 8-inch plaice is, and it is a pretty small fish. That is taking it from tip to tip.

3344. Do you know of any place where fishermen, whether line fishermen or trawling fishermen, go only to catch small fish?—Oh, no. I should say that would be bad policy on their part.

3345. Why?—If they went where they thought they would get nothing else but immature fish.

3346. It would not pay them?—No. The better the class of fish the better the money would be.

3347. So that you think to-day that quite apart from this Bill it is not worth any fisherman's while to go to any place merely for the sake of immature fish?—Oh, no, immature fish does not bring much money in the market at any time.

3348. There is a very poor market for it?—Very poor.

3349. Can you tell us whether you know that flat fish shrink in size at all after they have been caught and killed?—Yes; if you fill a box with fish it sinks down a good deal.

3350. And shrinks?—Yes, there is always a wastage of fish.

3351. Is it considerable at all?—Oh no, not unless there is salt put amongst it.

3352. Does the salt make them shrink more?—Yes, salt makes fish go down quick, herrings especially.

3353. Do you know that it is the custom amongst the fishermen in the North Sea when they are a long distance from port to put brine in to keep the fish?—No, there is nothing of that sort done with Scotch fishermen, perhaps a few herrings, but not with white fish.

3354. Do you know that it is not done, do you mean?—It is not done.

3355. It is not done as far as you know?—No.

3356. Under this Bill, if a fisherman lands and sells a trunk of flat fish, and in that trunk there are found any fish under the size of this Bill, you know he would be liable to be prosecuted for breaking the law?—Yes.

3357. Under the Bill soles must not be offered for sale under eight inches in length?—Yes.

3358. Supposing a man catches a quantity of sole just eight inches or a trifle over when they are caught, and after they are put into the trunk, by reason of the shrinking you tell us of, they come underneath the size of the Bill, would not you think it rather hard on a man to be prosecuted for that?—A fish will not shrink lengthways, or nothing to speak of.

3359. Does it appear to you as at all hard if a man has caught fish underneath the sizes of this Bill, and the fish are dead when they are landed on the trawl, that he should be compelled either to eat them or to throw them away?—He might make that a loophole.

3360. You are giving a reason why he should

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Mr. Harry Foster—continued.

endure the hardship; does it occur to you as being at all hard?—Well, I do not know, I am sure. It is not legal to land them under any circumstances—the undersized fish.

3361. Do you mean now?—No, I mean in the future.

3362. You mean it would not be legal that he should do so?—No.

3363. It would be quite legal to land them under this Bill; do not you understand that?—No, I do not expect that he would be allowed even to land them—immature fish.

3364. Have you not read the Bill?—Yes.

3365. He would be entitled under the Bill to land them; therefore you have misread the Bill in that respect?—But not to sell.

3366. He would not be allowed to sell?—I must have missed that.

3367. The question I am putting to you is, the fisherman having caught them, he cannot keep them out of his trawl, can he?—No.

3368. And having caught them and killed them—because he cannot keep them alive in the trawl—no good would be done to the fish by putting it back into the sea, would it?—Not a bit.

3369. Does it not occur to you as being rather a hardship if he can get anything, even if it be a small sum, for those he has caught, and that are killed, that he should be compelled to throw them away and sacrifice that small price, whatever it may be?—Yes; but here is the line drawn hard and fast by the Bill.

3370. I am quite aware of that line. I ask you what you think of that. Supposing you, as a fisherman, go out and catch some of these fish underneath the size in this Bill, would not you think it rather hard, when these fish are dead, that you should be compelled to throw them overboard again?—Yes; but what better can you do?

3371. That really is another question, what better you can do. Does it not strike you as being rather wasteful too?—Yes, it is wasteful, no doubt.

3372. Will you tell me how that is going to improve the fish supply; how you think it is going to do good?—I do not know; if he brings fish ashore the Bill will not allow him to sell them, he must give them away.

3373. That is not going to restore the fish to life?—No.

3374. You have told us that in your experience the fisherman never goes to-day to sea only to catch the small fish. You have told us you know of no place where the fishermen go only for small fish?—No, they would never study to go to sea only for small fish.

3375. They would go to try and catch marketable fish?—Yes.

3376. And they will still go and try to catch the marketable fish?—Yes, it is more beneficial to them to try and get a good article.

3377. The result of the Bill may be that these fish never can be seen in the market again?—No.

3378. It would not stop their destruction, would it?—No, it would only mean they would either take them ashore and give them away or throw them over the side.

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3379. The

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[Continued]

Mr. Harry Foster—continued.

3379. The work will still be going on, only we should not see so much of it in the fish markets because you could not land them?—No.

Mr. Harry Foster—continued.

3380. Do you know of any place where fishermen go to-day where they would not go to-morrow if this Bill were passed?—No.

Mr. PETER SIM, called in; and Examined.

Chairman.

3381. I UNDERSTAND you are a fish merchant in Broughty Ferry?—Yes.

3382. Broughty Ferry is a suburb of Dundee?—Yes.

3383. I think it is really the living place of the richer classes of Dundee?—That is so.

3384. So that you have a good market for fish of the better sort in it?—Yes, we have a fairly good market.

3385. Whom do you deal with—from whom do you get your fish?—From several places; the majority of the roundfish come from the line men at Arbroath. We used to get them from the Broughty Ferry fishermen, but that is absolutely gone now.

3386. What I want to get at is who are the fishermen with whom you are brought in contact?—I have been a fisherman all my days, until 10 years ago.

3387. Where did you fish from?—Broughty Ferry.

3388. In your time what sort of number of fishermen were there who have plied their trade in Broughty Ferry?—I think as far as my memory will carry me, about 240 was the largest number in Broughty Ferry.

3389. Has the fishing gone down in Broughty Ferry?—Yes.

3390. How many would there be now?—In the winter months do you mean?

3391. I do not mind in what months—the average all the year round?—About 100 now.

3392. Are they line fishermen or trawlers?—Line fishermen.

3393. Have you any trawlers at Dundee?—Yes. We have 10 or 12; 10, I think.

3394. Do you deal with them?—Sometimes.

3395. For whom are you going to speak about this Bill?—In the interests of the industry.

3396. Of the industry generally?—Yes.

3397. Your cause of knowledge is, I suppose, your mixing a good deal with the fishermen, principally line fishermen, I take it?—That is so.

3398. Are you in favour of the Bill?—It may do no harm, but it cannot do very much good.

3399. I want most impartially to get your own views on the Bill?—I speak as a practical fisherman. Now, suppose you pass this Bill and it becomes law, and you prohibit the fisherman from selling, you do not prohibit him from killing the fish.

3400. Therefore you think the blot of the Bill is that you do not prohibit actual killing?—That is so.

3401. How would you prohibit actual killing?—So far as I understand and see from the Bill it does not affect our shores so very much, but what I think would be beneficial to the industry would be this: that there are certain parts whereby the limits could be extended. Everyone knows perfectly well in-shores are nurseries for the young fish, and they should be extended.

Chairman—continued.

3402. You say there are certain parts whereby the limits could be extended; you mean to which the limits could be extended?—That is so.

3403. Just explain that; do you mean that there are certain well-known parts where small fish peculiarly frequent?—Most decidedly.

3404. Do you think, as a practical fisherman, it is a bad thing that the fish should be destroyed in these places?—I have no doubt of it. If you kill them you kill the fry—what you want to try to prohibit by this Bill.

3405. It is quite obvious that the only view of the Bill is to indirectly stop these fish being killed?—To stop the selling of them, not the killing.

3406. It is obvious that the view of the Bill is that by stopping the selling you will indirectly stop the killing?—In what way; I should like if I may, to ask you the question, in what way would you prohibit the killing.

3407. You are not here to ask me questions and I am here to ask you questions. I want first of all to get this from you. It is the view of the Bill is it not; I will ask you in a moment if you will be patient, whether you think that right or a wrong view, and, if a wrong view, why but it is obviously the view of the Bill, is it not that if you stop the selling you will indirectly stop the killing?—You may stop the selling; you never can stop the killing. I do not care if any man who gives evidence to the contrary but I am prepared to prove it. You never can stop the killing.

3408. You probably cannot. I wish I could get you to direct your attention for a moment to my question. You know of course that there are certain people in favour of the Bill and you just grasp this fact, that probably the people who framed the Bill were not absolutely right, that their view at any rate was that by stopping the selling you would indirectly stop the killing. Now do you grasp that?—I understand that.

3409. This is, I suppose, what you want to tell us about. Do you think that, as a matter of fact, if you did stop the selling it would have any effect upon the killing?—Would you be astonished if I were to tell you that I, as a skipper of a fishing boat, have sailed miles through immature fish floating on the top, scooped up with a shovel out of the trawlers?

Captain Sinclair.

3410. Do you mean dead fish?—Dead fish floating on the top.

Chairman.

3411. Which have been thrown away?—Shovelled over.

3412. You have told us already that you are aware there are certain places in the sea where small fish particularly frequent?—Yes.

3413. I suppose

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[Continued.]

Chairman—continued.

3413. I suppose in those places there are also a certain number of larger fish?—Yes.

3414. Are you aware that large quantities of small fish along with a certain proportion of larger fish, are sent to the London market?—Yes, they may be that.

3415. Are you aware that a certain price is got for the smaller fish?—Just so.

3416. If you could assume that the possibility of getting the price for the smaller fish was gone, which it would be if the Bill were passed, would you think that it would still pay the trawlers to go to these places where the small fishes particularly abound?—I do not say that they go just particularly to those places where small fish go, but they cannot avoid it in certain times of the year. You will get generally small fishes at all stells of banks—that is, before you come on the top of the bank between the soft and the hard; that is where you get young fish. We were told a good many years ago that this was to cheapen the supply of fish to the masses, and the masses buy the smaller fish.

3417. What do you mean by “this”?—This industry was to cheapen the fishes to the masses, and the masses now buy the smaller fish. If you prohibit it under this Bill, then there are certain classes that will scarcely ever touch a fish.

3418. You think that taking the small fish out of the market would be prejudicial to certain classes?—Yes.

3419. Have you a market for small fish in your own district?—In Scotland there is.

3420. Where can you speak of it?—In Dundee and other places. Take the Italian chaps that come across to our country, the fried fish shops; the smaller they get them the better.

3421. I want to keep you to your own actual knowledge. What experience have you got of Italians?—I know that they buy up the smaller fish. They will not buy dear fish or large fish.

3422. Are you speaking of Italians in England?—And in Scotland; in Dundee.

3423. Do you sell small fish to Italians in Dundee?—Not me. They buy them in the wholesale market.

3424. Do you know if, as a matter of fact, in the Dundee market there is a sale of fish under the sizes of the Bill?—Yes, you get a certain amount. Six weeks ago I saw 70 per cent. of the whole total catch of a trawler immature fish, not flat fish, mark you, but taking the whole fish.

3425. Have your remarks generally been made about flat fish?—Yes.

3426. I will repeat my question, confining it to flat fish. Is there a market for small flat fish in Dundee?—Not just for small flat fish. I have seen them give 1s. 6d. and 2s. for the box, and pick the larger fish and throw away the smaller, the immature flat fish.

3427. Do you think that the prohibited sizes in the Bill ought to be killed if you could avoid it?—It is 8 inches, but it is misleading in Scotland, because in measuring the fish there are different ways of measuring it. We used to be engaged for cod. You measured them from the fin to the root of the tail. What we want to be clear on is this: Is it from the snout of the

Chairman—continued.

flounder to the tip of the tail, or from the shoulder fin to the root of the tail?

3428. It is from the tip of the nose to the tip of the tail in every fish?—It does not say so.

3429. We can put that right in the Bill?—But it is not in the Bill.

3430. Assume from me, please, that the measurement is from the tip of the tail to the tip of the head?—I have seen a good many. I have seen 10 per cent. under 8 inches.

3431. Do you think it a good thing that those should be killed?—No; I do not think it.

3432. Do you think that the supply of flat fish has been decreasing lately?—Most decidedly.

3433. To what do you attribute that?—There is only one cause that I know of—trawling.

3434. What remedy would you suggest?—I think I stated before the extension of the limit in certain localities where these flat fish are reared, and the prohibition of certain nets, which are more detrimental to immature fish than anything you are talking of.

3435. What nets do you refer to?—Bag nets.

3436. Used how? The bag net I am familiar with is used for salmon, which, obviously, you are not referring to?—No.

3437. What do you mean by the bag nets?—Those nets that they term spurling nets. You get them in the Firth of Forth, in the Tay, and I fancy you get them in every river and firth in Scotland.

3438. These, of course, are not as I take it from your deep sea nets?—No; but in the Tay you get turbot, you get brill, you get plaice, you get soles, and every sort of flat fish, and you get them brought into market; not so large as eight inches.

3439. Because of the small mesh of the net?—Yes, they do not seek the bottom.

3440. Just describe the net?—As near as I can describe it it is simply a trawl net, only the boat is anchored, the lower beam goes down and the upper one is kept nearly to the surface.

Sir Brampton Gurdon.

3441. Do I understand it is a stationary net?—Yes.

3442. It is not the small mesh that makes the difference?—Yes, the small mesh; it goes to the cod end of the net.

3443. We have rather heard before that it does not make any difference whether it is a large or a small mesh. It would in the case of a stationary net, of course?—Yes; supposing you have the larger net stationary it would have the same result, because the strain of the tide would simply draw it close.

Chairman.

3444. It is the character of the net really you think which is in fault?—It is the locality the net is used in.

Sir Brampton Gurdon.

3445. It is used too near the shore?—Yes; it is used where those fishes are to be found that we are talking of prohibiting the catching of.

3446. When

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[Continued.]

Chairman.

3446. When you were a fisherman how far did you go?—I was reared as a boy in the river years ago, I went from outside the river 70 or 80 miles east of the Bell Rock, that would be 110 miles, or thereby.

3447. That would be about the farthest?—Yes.

3448. You are not familiar with the beds of the North Sea on the other side, are you?—No, I have been at Shetland at the herring fishing; that is all.

Mr. Harry Foster.

3449. The Lord Advocate asked you whether you were aware that large quantities of these immature fish are offered for sale in the London market?—I have heard it stated.

3450. And whether you were aware that they fetched a certain price?—I have heard it stated.

3451. Have you heard it stated that that certain price is a very uncertain price?—That is so.

3452. That sometimes they will not be even taken as a gift?—That is so.

3453. And have to be destroyed?—That is so.

3454. You say that your experience in Dundee is that this undersized fish does command a certain market?—All depends on the supply and demand in the market.

3455. Is the price realised very low?—Sometimes.

3456. Is it ever high?—Sometimes.

3457. For the undersized fish?—Yes.

3458. Sometimes high?—Yes.

3459. Would you give us an instance of how high?—I have seen them sold at 2s. a box: that is 80 or 84 lbs. in the box. I have seen them go up to 8s. and 10s.—not all undersized, mark you, but mixed.

3460. That includes, as I understand you, the sizeable fish?—That is so; not all undersized.

3461. Do I understand you that you frequently have seen these boxes bought for the sake of the sizeable fish only, and the undersized fish thrown away?—Every man that deals in the trade buys according to what he thinks the value of it, small or large.

3462. You gave an instance of the box fetching 2s. sometimes, and fetching from 8s. to 10s. at other times?—Yes.

3463. That, I understand is not a box of undersized fish only; it is a box which includes sizeable fish?—Yes, mixed fish.

3464. Is the market for these undersized fish principally amongst fried fish shops?—Yes, there are certain seasons of the year a great many find their way to England.

3465. You said that the masses buy these smaller fish?—Yes.

3466. By "the masses" do you mean the poor?—That is so. Certain large fish are beyond the power of them to buy.

3467. Therefore unless they can buy these small cheap fish you think they very seldom would be able to taste fish?—At certain seasons of the year they would not.

3468. It is your opinion, is it not, that merely to forbid the landing and selling of undersized will not stop their destruction?—It is.

3469. Do you think the only result, then, will

Mr. Harry Foster—continued.

be that these fish will still be destroyed: they will still be kept out of the market. Quite so.

3470. And so the supply, as you put it, the masses of the people with regard to the small fish will be cut off?—There is always a certain amount comes in. I care not for the market you go to you will always find that certain amount of these smaller fishes brought in according to the demands.

3471. That is to say, the men having caught the fish send them up to the market for whatever they may fetch?—That is so.

3472. They still throw away large quantities of them, because they know they are unsaleable, do not they?—I have no doubt of that.

3473. Therefore they clearly do not go to sea to catch those fish that they throw away?—No.

3474. Have you ever found any place where you only get small fish, and no big ones, at part of the sea?—No.

3475. You always find them mixed up?—Yes, that is if you talk of over 8 inches, and not very large flat fish—over 8 inches I have seen them mixed up with the smaller ones.

3476. When I said small and big I should have said under the sizes mentioned in the Bill and over the sizes mentioned in the Bill?—Yes.

3477. Do I understand you that the remedy, if there is a remedy, that you suggest is closing certain areas—where the small fish may be mostly supposed to be, for a certain time of the year; is that your view?—No, you close it you have to close it for the year.

3478. For a certain time, not for a season?—For a certain period.

3479. So as to leave it undisturbed?—Yes.

3480. You said you thought that the reduction of the number of fish was due to the trawlers. Do you mean by that to the increase in the number of trawlers?—That is an increase, we all know, in the number of trawlers, but we know perfectly well what we have done on our own Scotch coast. The first one that came in our locality and got 100 boxes of flat fish and round fish mixed every day in the distance covered by a stone cast from the mouth of the Tay. To-day they go nothing under 70 miles before they bring in the same amount.

3481. Their catching power is so much greater?—Yes, and the fish are very much less.

3482. If they go on catching big and little fish, the fish are getting less in quantity?—That is so.

3483. Does it strike you as being a hardship that, if a man has caught fish and they are dead already, he should be prevented from bringing them into the market for what they will fetch?—I do think that if a man actually thinks he can get anything out of it, it is a hardship to prohibit him from bringing them into the market if he has killed them.

Sir Brampton Gurdon.

3484. You said you had seen a box of fish bought in the market and the big ones picked out and the others thrown away?—Yes.

3485. Were

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[Continued.]

Sir Brampton Gurdon—continued.

3485. Were the ones thrown away absolutely wasted, or did anybody pick them up, and take them away?—You will always get hangers on in markets, ready to do those things.

3486. To eat them?—The best of them which the retailer would throw away might be picked up by those people who hang about, and a certain amount put in the ash pit.

3487. When the small ones are thrown away at sea do you think they recover?—Not very many.

General Goldsworthy.

3488. Do you find the fish which you are getting now decreasing in size gradually during the last 10 years?—I would not say that, but they have been decreasing in quantity greatly.

3489. And not in size too?—Not in size, but greatly in quantity. We had always at the very best small fish along with it.

3490. You do not get more immature fish than you did?—You get more by the method that is fished now than when it was simply a hook and line.

Captain Sinclair.

3491. You, of course, know the locality well round about the Tay and up to Arbroath. Who is it that brings the undersized fish to Dundee Market?—Dundee boats.

3492. Trawlers?—Yes.

3493. Not line fishermen?—There is a certain amount by line fishermen.

Mr. Pretymann.

3494. Do you mean undersized flat fish brought in by fishermen?—Yes.

3495. By line fishermen?—Yes, a certain amount.

Captain Sinclair.

3496. You would not say that it was a large amount?—No, not a very large amount, but there is a certain amount; and whatever they did catch, if you did throw them away, would actually be lost, because if they get them, as they have to do, they take the hook out, they break the gill of the fish—some you may draw, but not very many, not of flat fish. I am speaking of plaice more than anything. We have a good deal of them taken. In April, after our men actually could do nothing and get no haddocks or round fish of any description, a great many started for the flounders in St. Andrews Bay. We had 749 cwt. in Broughty Ferry for the month, value 373*l*.

3497. Flounders?—Plaice; a sprinkling of grey dabs, mostly all plaice, sent up to the English markets in time of Lent.

3498. What proportion of those were below the limits of this Bill?—There would be about 15 per cent.

3499. Not more?—Not more; I do not think it.

3500. You have told the Committee that you recognise that fishing is much less remunerative than it used to be?—That is so.

3501. And you are anxious, and the men you speak for are anxious, to do everything they can for the industry. On the whole, would you like to see this Bill passed or not?—Whatever would

Captain Sinclair—continued.

help to foster the industry. To save the fishing industry in Scotland, I am quite prepared to accept the Bill if it will do anything, but I tell you my own opinion is that, no matter whether you prohibit them from selling them or not, they will still kill them.

3502. It is impossible to avoid it?—Yes.

3503. There is a system in Scotland, is there not, of having the shores protected by the prohibition of trawling within the three-mile limit. If this Bill were passed and became law should we be able to do without the protection of the three-mile limit?—No.

3504. You do not think it would be in any sense a substitute?—No, it would not; you want more protection.

3505. It is your opinion we want more rather than less protection?—Yes.

3506. Would you approve of the extension of the prohibition of trawling to a further distance out to sea?—Yes, if it were possible to do it. My point is this: that there are certain localities where the thing could be done; I believe if the Government did tackle it it is possible to do it and quite within their rights to do it.

3507. Will you kindly explain that—what localities?—Take our locality—the Broughty Ferry and Arbroath and St. Andrews locality. Is it not a peculiar thing that the Tay Fishery Board—that is the Salmon Fishery Board—claim the right from Fife Ness to the Red Head as being within territorial waters? The prohibition of trawling in that locality is from Fife Ness to the Buoy of Tay and from the Buoy of Tay to the Red Head. If they have the right to claim this as territorial water why not take this very valuable piece of nursery ground for the young fish?

3508. You would draw it from Fife Ness to Red Head?—Yes.

Chairman.

3509. Do you know that the territorial limit is three miles from the line of the coast?—Yes.

3510. You know also that by the Statute law all trawling is prohibited within the three mile limit?—Yes, in territorial waters.

3511. Is the line which you have suggested to us outside the three mile limit?—That is the whole point.

3512. You can answer yes or no to that?—I know this much—Firths and bays not exceeding 10 miles are within territorial waters.

Captain Sinclair.

3513. At present the line goes from Fife Ness to the Buoy of Tay, and from the Buoy of Tay to the Red Head?—Yes, that is three miles outside of the Red Head I referred to.

3514. You have drawn a line from Fife Ness direct to the Red Head?—Yes.

3515. Within that line there are valuable nursery grounds that you wish to see protected?—Yes, that is so.

Mr. Pretymann.

3516. Is any part of that ground more than three miles from land—Yes, about 5½ miles I should fancy.

3517. What

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[Continued]

Captain Sinclair.

3517. What is the distance from Fife Ness to the Red Head?—About 12½ miles.

3518. I gather that just as the Moray Firth is closed by a line straight across the mouth of the Firth, you want a line drawn straight across and all trawling prohibited within the line between the Red Head and Fife Ness?—No, it is not so bad as that. Even supposing you got it from St. Abb's Head to the Red Head, it would not be so bad as the Moray Firth. The Moray Firth is 64 miles.

3519. What you wish to contend is that there are very valuable nurseries which are not protected at present, and which would be protected if a line were drawn from Fife Ness to the Red Head?—That is so.

3520. Would those nurseries at present be affected, in your opinion, by this Bill, if it became law?—In strong gales and westerly winds some boats will stick in as near the land as they possibly can.

Mr. Harry Foster.

3521. That does not answer the question, whether if this Bill were passed it would affect these nurseries you speak of; I am not talking of closing those areas; but whether the effect of this Bill would, in your opinion, be to protect these areas at all?—No.

Captain Sinclair.

3522. Is there any other suggestion you have to make from your knowledge of that particular part of the coast for the protection of the fisheries?—Yes. I am much afraid I should be out of order. I believe things could be simplified. Take the Act of 1892, where you give the County Councils or anyone the right to say that a certain fishery district should not be created.

3523. You mean that the objection of one authority in the proposed area can prevent the formation of a district committee?—Yes, that is so, and I mean to say if district committees were formed in Scotland, things would be better looked after than they are at the present time.

Chairman.

3524. You think that district committees would be a good thing?—Yes.

3525. If you had a district committee what could they do, as a matter of fact, with a view to preventing the destruction of immature fish?—I do not want to lay any charges against anybody, but we know perfectly well that the Fishery Board of Scotland have not the means to protect the waters at present. If the district committee did exist and they had a certain boat under that district committee, instead of the great expense of boats that we have at present you could have one a good deal cheaper; you could have eight for the price of one possibly under the district committee, and every committee in the district in touch with one another.

3526. It really comes to this; you want more policing of the sea?—Yes.

3527. With a view of keeping trawlers outside the three-mile limit?—Yes.

Captain Sinclair.

3528. And also, such committees would be useful for preserving the bait beds?—That is so.

Sir Cameron Gull.

3529. Can you speak as to the views of the trawlers of Dundee, with reference to this Bill?—I could give you the opinion of one trawler owner who thinks the Bill is not necessary. I know there are certain trawl owners who are anxious for this Bill. I know perfectly well that certain localities are anxious for this Bill. I could quote certain places that are anxious for this Bill; anxious for other places being opened.

3530. And you know some that are against it?—Yes.

3531. I think it has been put to you that the object of this Bill is to prevent indirectly the destruction of these small fish?—That is so.

3532. I think the Lord Advocate put it, if he stopped the sale, it might do some good. Are you aware that even if the Bill is passed, with the exception of plaice, all these small fish can be sold in foreign markets?—That may be. We have no jurisdiction outside.

3533. They allow these fish to be sold?—I know this much, that that class of fish will not stand to be sent into foreign markets.

3534. Then you think it will do good?—I do not see that it will do any good to the industry. The immature fish will not stand to be sent to foreign markets.

Chairman.

3535. They will not get there in good condition enough to be sold?—No.

Mr. Harry Foster.

3536. Are you speaking of fish packed in Scotland, or straight from the sea?—Either of those ways.

Sir Cameron Gull.

3537. Do you know any part of the sea where they only get these undersized fish?—No, not solely these, unless as I stated before, in the estuaries of banks you may get nothing but immature fish.

3538. But on the whole, there is no place we know of, where all the fish are under 12 inches?—No, unless you go into estuaries and firths. The further up you go, the more you get them undersized.

3539. Those are protected already by the Fishery Board or by the general law?—Yes.

3540. Your opinion is that the decrease in these flat fish has been caused by trawling?—I will give you my own experience of it, and that is this: in our river we had any amount of flat fish—that is plaice I speak of. A salesman says you take in your trawls, take them over the river, and in three weeks' time we cleared that up, so that you would not get to-day a box supposing you tried it, and there were from 50 to 100 boxes in the boat for three weeks every day. That was large plaice.

3541. This Bill in no way interferes with the trawling?—No, only it keeps the men after they have actually killed them from bringing them into the market.

3542. I understand you sell the fish again. You are a salesman?—I retail the fish. I buy them from the fish salesmen and retail them. I buy them from the coast and retail them.

3543. Have you considered how this Bill would affect

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[Continued.]

Sir Cameron Gull—continued.

affect you personally?—Yes, I have looked at it that way, too.

3544. Do you like the prospect?—It does not affect me very much.

3545. Supposing you bought a box of these fish and there were a few small ones undersized underneath, and you did not happen to turn the whole box out and you were selling them, you would be liable?—Everyone does not want a big fish and everyone does not want a small fish. You will be better with them mixed.

3546. Supposing you have a certain number of small fish in a box which you have got and are going to retail them, and you do not happen to have sorted or measured them carefully all over. You may without being aware of it have some of those small fish that you were offering for sale, and you would be liable to be fined?—That is so. The same thing applies to the Lobsters and Crabs Act, you have to take your chance.

Mr. Pretymann.

3547. When you speak of immature fish and small fish, have you taken the trouble to measure a plaice eight inches long?—Yes, I did.

3548. So that you really have it clear in your mind what a fish is that is below the size that is proposed?—Yes, that is, after the explanation of the Lord Advocate, from the point of the nose to the tip of the tail.

3549. Did you measure from the point of the nose to the tip of the tail?—Yes, and from under the fin to the root of the tail.

3550. What you have in your mind clearly is that we are speaking of fish which are less than eight inches long from the tip of the nose to the end of the tale?—Yes.

3551. Do you consider that those fish below that size have really any considerable market value?—At certain seasons of the year they have.

3552. Below that size?—Well, not too much below it not the immature ones, they have no value at all.

3553. So that taking it altogether should you say that fish below eight inches that come into the market are worth a great deal of consideration from a money point of view?—Yes, to certain people they are, I must say that. If you say to the men that I speak of, you must not put it into the market under eight inches, then you take away 15 to 20 per cent. of their livelihood at a particular time of the year when they can get nothing else—March and April.

3554. Do you mean that from 15 to 20 per cent. of the fish which are caught by line fishermen are flat fish, not including dabs and flounders, which are not in the Bill, but that 20 per cent. of the actual profits of any fishery comes from selling fish of this character—flat fish under eight inches in length?—With line fishermen at certain seasons of the year it may be that—plaice and flounders.

3555. Flounders are not in the Bill?—But plaice are.

3556. Undersized plaice and soles are in the Bill. You never saw an undersized sole caught on a line, did you?—It does not affect Scotland at all very much.

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Mr. Pretymann—continued.

3557. The plaice is what really affects you?—Yes.

3558. Do you seriously mean to tell me that 20 per cent. of the catch at certain seasons of the year of certain fishermen, in value, not in number, consists of plaice under 8 inches in length from the nose to the end of the tail?—Yes.

3559. By line fishermen?—Yes, at certain times.

3560. Of the line fishermen?—In St. Andrews Bay and around that locality.

3561. You told us that the highest price that you heard of, the maximum price as I understand you for a box of fish was 10s. for a box weighing 84 lbs.?—Yes.

3562. That included large fish and small fish?—Yes, not the very large ones.

3563. When I say large and small I mean above the limit of the Bill and under it. These 84 lbs. of fish were worth 10s. as a maximum?—Yes.

3564. Is that the particular time of the year when these little fish are caught?—Yes.

3565. That is when they have the most value?—Yes.

3566. The small fish I suppose have much less value per pound than the large ones?—I speak of the Lent season. At that time of the year all classes of these small fish are sent up.

3567. Will you kindly answer my question. In these boxes you say that there are under-sized fish and over-sized fish?—Yes.

3568. Are the over-sized fish not worth more per pound than the under-sized fish?—Yes, the fishermen just fill them up.

3569. They are worth more?—Yes.

3570. What sort of proportion. Are they worth double as much or what?—I have seen what we term selected plaice go from 18s. to 24s. a box at the same time of the year that I speak of the mixed box at 9s. or 10s.

3571. I am speaking of the particular mixed boxes you mentioned to us; what would you say that the value of the undersized fish would be; there are 84lbs. in the box; take an ordinary box that you are speaking of; what sort of weight of these undersized fish would there be on an average?—There would be half, fully.

3572. We will call it 40lbs.?—Yes.

3573. What would be the value of this 40lbs. weight of fish—2s.?—They would always be worth 2s. or 3s.

3574. We will say half-a-crown; that is half-a-crown for 40lbs. of fish; that is less than a penny a pound?—Yes.

3575. Less than a penny a pound could not represent any very great value of fish to a line fisherman, surely?—I want to explain this to you; line fishermen, when they are catching these flat fish, are engaged generally speaking to certain merchants at so much per box; they just put them in their boxes; they do not require to say what the value of this is, or what the value of that is.

3576. We do require to know that; you say that 20 per cent. of the value of their catch consists of these fish eight inches in length; you mean they could not fill up their boxes without?—They will have to throw the whole of them away.

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3577. You

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[Continued.]

Mr. Pretymann—continued.

3577. You mean the boxes have to be filled up to get the money?—The boxes are filled up so much per box or basket.

3578. And these fish are put in to make the box up?—Yes, because they are saleable. Supposing you take a 7½-inch flounder. That is not a bad flounder.

3579. A flounder is not in the Bill?—Well, take a plaice then. We term them flounders in Scotland.

Mr. Harry Foster.

3580. Do you mean plaice when you say half the box would be worth about half-a-crown?—At certain seasons of the year.

Mr. Pretymann.

3581. Would that be plaice and flounders mixed together?—No, when they are engaged it is for plaice only, and if they are taking plaice to send to market to be sold as plaice they put nothing but plaice in.

3582. That is the extreme value that this fish would have. I suppose you know that a plaice of that size has never spawned?—I have heard it stated.

3583. You may take it that we have had scientific evidence of that. Do not you think it would be very valuable if it were possible that all these fish should be allowed to spawn at least once before they were caught so as to increase the stock of fish in the sea?—Yes, I quite agree; it would be more valuable if you could get them to spawn twice instead of once.

3584. If you could get them to spawn at once it would be something. You think it would be something. You think it would be very desirable, do you not?—Yes.

3585. That these fish should live to spawn at least once before they were caught?—Yes.

3586. Do you think that if this Bill were passed there are certain grounds where you are much more likely to catch big fish, and some where you are more likely to catch little ones?—Yes, that is so.

3587. That is so, in all fishing-grounds?—In all fishing-grounds.

3588. Do not you think from your practical experience in trawling?—Not in trawling; in line-fishing.

3589. Whether as a trawler or a line fisherman, would it not have some effect upon where you are likely to go in regard to catching fish, whether these small fish were saleable at all or not. Would not there be places it would not be worth your while to go to get these small fish?—That is so.

3590. That is the point we want to get at. Then in your opinion this Bill, by prohibiting the sale of these fish, would have some effect upon the places which fishermen would be likely to go to. They would rather incline not to go so much as they do now to where nothing but these small fish would be got?—Yes, that is the very thing certain parties want this Bill for. They know at a certain time of the year that their boats go far out to sea, and very many immature fish are got at that particular time, and they want to crush the inshore fishings.

3591. To prevent them getting the little fish?

Mr. Pretymann—continued.

—Yes, so that the value of their fish would be enhanced more than they actually are.

3592. That is what you think about it?—That is my opinion.

3593. At the same time I want you to emphasise that, that you do think the effect of the Bill would be to keep the fishermen off the grounds where these very small fish are principally found?—It would be this, that you would practically say to line fishermen, "You do not come within a three-mile limit to fish." Immediately you pass this Bill it would practically say to the line fishermen, "You are prohibited from going within the three-mile limit to fish."

3594. That would be an excellent thing?—It would not. What are you going to do with them. They are half starved already. You are going to starve them out.

3595. Supposing these fish are allowed to grow, the line fishermen and trawlers might catch them when they are big fish and make more profit?—That is "Live, horse, and you will get corn"; that is, we will put you outside the three-mile limit. You are getting half a livelihood now; we mean to put you outside of it until the fish grow, and then you will get them.

3596. You say that this supply of flat fish of all kinds is very much diminished?—Yes, all sorts of fish have diminished.

3597?—But flat fish especially?—Yes, flat fish have diminished.

3598. Has it ever struck you that, if the destruction goes on, there may soon be a limit for nobody, either in shore or off shore?—The patent to every one concerned in the trade.

3599. Would not you advocate trying to prevent this catching of the very small fish so that in future there may be some living?—I advocate cutting at the root.

3600. What is the root?—The method of catching; cutting at the root of it.

3601. How do you propose to cut at the root?—What do you propose to do?—As I said, to do everything that is in the power of the Government to do ought to be done.

3602. We have not any power against the three mile limit?—I do not know so much about that. We were promised that several things would be done by all the powers interested in the North Sea.

3603. How do you want to cut at the root of it?—By trying, if the Government have the power, to prohibit the method that is destroying the fishing industry within the limit.

Chairman.

3604. You said you had said it already, the only thing I remember your saying on that was that you wanted these stell nets put down in the estuary of the Tay?—No, I did not say I wanted them put down. I said that was a method that took immature fish. I was only pointing out certain methods that destroy those young fish.

Mr. Pretymann.

3605. On that question of these particular nets—I know what those nets are, exactly—you mean to seriously tell me they destroy a very large number of flat fish in those nets?—Yes.

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[Continued.]

Mr. Pretzman—continued.

Yes, they destroy a good many; I have seen young turbot and all sorts of flat fish in them.

3606. Not many, surely; how do the flat fish get in?—Into the rivers, and I suppose it is the same in any other fishing. The small fry are not at the bottom, not in the rivers where the tide is running. If the net is down they go in with the rush of the tide along with the smelts and sprats, as we term them. I have seen half a boxful, 40 lbs.; I have seen a whole box, 84 lbs.

3607. Come out of one net?—Yes, for his night's fishing.

3608. Eighty-four pounds of immature flat fish?—There might have been 20 per cent. of them above 8 inches, but not more.

3609. Out of a set net?—Yes.

3610. Every fish that goes into that net must be a travelling fish?—Yes.

3611. Does that net actually lie upon the bottom?—Not just exactly on the bottom. They may raise it at times but not if there is any wind. It is shackled on to the chain when they let go their anchor, and the lower beam goes down and the upper beam is held at the top.

3612. Those kinds of net are not set to catch flat fish?—No.

3613. It is accidental if they get in?—It is accidental if they do get in it.

3614. You would not seriously put it forward that those nets were very injurious to the stock of flat fish in the North Sea?—No.

3615. I understood you rather put that forward just now?—No.

3616. You believe it is the trawling?—I am bound to believe it.

3617. And to some extent the line fishing, which destroys these immature fish?—Yes, the line fishing. All the time before this method did come there never was any diminution in the fish supply in our locality until this other method did crop up amongst us.

3618. Do you think it would be of any good in stopping the destruction of these fish if, in addition to prohibiting their sale, people were prohibited from being in possession of them?—If the trawler is trawling he is not necessarily wanting the smaller fish, but he gets them mixed with his big and they trawl for two hours, or possibly three hours, or sometimes four hours before they pull it out. What are you going to do with the man, and are you going to punish him because he says "I do not want you to come in this net, you have come."

3619. I do not mean possession on the boat; but possession on shore?—You will give the men a lot of extra work. If they find them hanging in the nets—small and immature fish—they will have all them to clean and shake and sweep up and they might not get two hours' sleep.

3620. Do not they throw them overboard now?—They do the bulk of it; but you will find it hanging in the net, I do not care where you go to, unless it is purposely cleaned on coming into port.

3621. Do you think it would be an additional protection if they were prevented from landing the fish?—You are mixing up the two methods.

3622. I refer to all kinds of fishermen. You

Mr. Pretzman—continued.

have no personal experience of trawling?—I have no personal experience of trawling.

3623. Does it not strike you that the same thing would apply exactly to trawlers as applies to line fishermen, namely, that there are parts of the North Sea where there are mostly small fish and very few big fish; that it is now worth the while of the trawler to go to those grounds where he gets a few good sized fish, because he can sell at a certain price a lot of these very small fish he gets with them; but if the sale of the very small fish was entirely prohibited, he would then be in the same position as you speak of with the line fishermen, that it would not be worth his while to go to that ground where there was very little except small fish, and he therefore would keep off it. Does not that strike you as possible?—No. Why have we so many cases of poaching; why do they come within the limit at present?

3624. Because they can sell the fish when they catch them. In this case I am putting to you the law would prevent their selling the fish, and when the fish were not saleable, do you think they would go and catch fish which they could not sell?—They would take out the larger among them. They get plenty of the larger fish within the limit.

3625. I am not speaking about the limit; I am speaking of the North Sea generally. You told me before that you knew there were certain places where they were nearly all small fish. I want to make it clear to you that that is the intention of the Bill as I understand it, and I want to ask you if, in your opinion it would have the effect by these small fish being unsaleable; that it would not perhaps be worth while of either trawlers or line fishermen to go so much as they do now to the grounds where these small fish are only to be caught?—I cannot see what you are driving at at all, because the men are gradually driving themselves further to the sea; they are compelled to go; and what is the whole amount of plaice that is caught on the coast of Scotland—it is not worth anything—or in the North Sea.

Chairman.

3626. I only want to ask you one question, and that is what you really mean by saying that you would propose to go to the root of the matter; what do you really mean by that. Obviously it is not that question of the nets in the estuary of the Tay, because, however right it might be to stop that, in any way it is a drop in the bucket, of course, as far as the general supply of the great North Sea is concerned. How would you go to the root of the matter?—Do I require to tell you that? Did I not explain here to the Committee that 20 years ago you could get any amount of flat fish within the 3-mile limit, and you could get any amount within a 10-mile limit. They have 70 miles to go now. What has been the cause of it? The line fishermen have not been taking them. Who have been taking them?

3627. Is your meaning of going to the root of the matter abolishing trawling?—No, my meaning is this: I quoted a particular part which is a resort for flat fish, turbot, brill, and plaice.

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3628. The

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[Continued]

Chairman—continued.

3628. The place you have quoted again is a very, very small area as compared with the North Sea?—I have known 30 of them trawling for a week and a fortnight in it.

3629. But still it is a very small matter compared with the whole extent of the North Sea?—I know that. It is a drop in the bucket, as you said, but it is a locality where this particular class of fish that you are trying to force is reared.

3630. I want to get at what you really mean. What you really mean is this, you think that, all over the North Sea, wherever there are localities where it is practically known to fishermen that small fish abound, trawling ought to be prohibited in those localities?—No, it is impossible to do that, you cannot do it.

3631. You think that is impossible?—It is impossible to do that.

3632. The particular locality that you mentioned is somewhere near the coast?—Yes, but take the whole locality down—extend the limit.

3633. Does not it come to this, that you would extend the 3-mile limit if you could?—Yes, if we could.

3634. So that you think, if there should be an International Convention, by which the 3-mile limit could be extended, say to 13 miles?—Seven—supposing it was the half of that.

3635. It would be of very great practical service?—Yes, it would.

Mr. Harry Foster.

3636. You spoke about the men being deprived, at certain seasons of the year, of 20 per cent. of their earnings, if they were not allowed to sell under the sizes of this Bill?—Yes.

3637. You mentioned March and April?—Yes.

3638. Then you told us that was the time of the year when this fish fetched the highest price, 10s., and you gave Mr. Pretymann an instance of 2s. 6d. being the value of the undersized fish?—Not of the line fishermen though. I was talking of fish that was landed at Dundee market by line fishermen.

3639. What proportion of line fishermen would that be?—From 10 to 15 per cent.

3640. Because if a man sold a box for 10s. and 2s. 6d. of that was represented by undersized fish that would be 25 per cent.?—Sometimes, as explained before, they went up to 22s. a box at that particular time of the year.

Mr. *Harry Foster* produced a letter from Mr. H. G. Jones, of Lowestoft, who was to have given evidence before the Committee, accompanied by a copy of the Petition presented against the Fisheries Acts Amendment Bill, 1899 by the Smack and Fishing Boat Owners at the Port of Lowestoft. (*Handing in the same.*)

Thursday, 5th July 1900.

MEMBERS PRESENT:

Mr. Harry Foster.
General Goldsworthy.
Sir Cameron Gull.
Sir Brampton Gurdon.
Mr. Seale-Hayne.

The Lord Advocate.
Mr. Pretyman.
Mr. Rothschild.
Captain Sinclair.

THE LORD ADVOCATE IN THE CHAIR.

Mr. WALTER GARSTANG, called in; and Examined.

Chairman.

3641. You are in charge of certain fishery investigations under the Marine Biological Association?—Yes.

3642. I believe there is a pamphlet, is there not, in course of production; would you be good enough to furnish us with an early copy?—Yes, a pamphlet dealing with the impoverishment of the trawling grounds.

3643. Was that published at the instance of the Association, or going to be published?—It will be published in the forthcoming number of the Association's Journal, Vol. VI., pp. 1-69.

3644. When will that be out?—In the course of probably a fortnight; the last proofs have just been sent back to the printer.

3645. I think the heading of it is, "The Impoverishment of the Sea"?—Yes.

3646. Probably I may say that anyone who wishes can refer to that article when it is out as showing the general conclusions you arrive at, and the statistics on which those conclusions are based?—Yes.

3647. But in the meantime for the purposes of this Committee, will you just put very shortly what are the facts on which you come to the conclusion that there has been an impoverishment of the trawling grounds in the North Sea?—The figures in question are really grouped together under four heads. In the first place I have returns from Grimsby smack owners reaching from the year 1860 to the year 1892, giving the average annual catch of their sailing trawlers. Then those figures show a very marked reduction in the average annual catch over the whole term of 33 years, the catches of prime fish at the end of the period being only about one-fifth of what they were at the beginning, and the catches of plaice being only about one-third of what they were at the beginning. Then in order to check the accuracy of those returns, as they were furnished by men engaged in the trade, I have taken the figures of the weight of fish annually sent from the port of Grimsby by rail, and compared those with the official figures representing the number of Grimsby fishing vessels, both steamers and sailing vessels, on the "Register" from year to year. The figures of the weight of fish sent away by rail have been furnished by the Great Central Railway Company. As in the case of

Chairman—continued.

the smacks, the returns show practically the same diminution in the quantity of fish annually landed per unit of fishing power over the whole term of years from 1886 to 1899. In this case this deals with the whole weight of all fish.

3648. As I understand you, you mean the figures there point to the same conclusion?—Precisely, with regard to the general diminution of the total catch of fish by the Grimsby fishing vessels.

3649. I think the next head was the statistics as to the trawl fishing on the East Coast?—Yes; the Lowestoft trawl fishery. They are furnished by the Great Eastern Railway Company, and they also show a great diminution in the average catches of prime fish per vessel, and a slighter decrease in the catches of offal fish per vessel. These figures are not altogether new; I have merely brought them up to date. A great many of them were submitted to the previous Committee in 1893. I have brought them up to date, and criticised the details; but I have also done something which is new, namely, I have calculated from the Returns of the Board of Trade the total weight of bottom fish landed on all the coasts of England and Wales.

3650. Just explain what you mean by "bottom fish," because it is a new term to this Committee?—By "bottom fish" I mean all those fish which can be legitimately attributed to the catches of the trawlers and liners. The method of determining this quantity was to take the Board of Trade's Returns of the total quantity of all fish landed, except shell fish, and then to deduct from those Returns the quantities, that is to say the weight, of mackerel, herrings, pilchards, and sprats for each year. Those fish of course are not caught by trawlers and should not be included. The difference between the two sets of figures yields the figures representing bottom fish. If that be done for the whole term of years from 1889 to 1898, 10 years, for the East Coast, a yearly advance is obvious in the weight of bottom fish landed; from year to year the quantity increases, but simultaneously with that I have made a very detailed calculation of the growth of catching power of trawlers and liners during the same period. For each year I have taken as carefully as it could be done the estimates of the numbers of different classes of trawlers and liners,

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Mr. GARSTANG.

[Continued.]

Chairman—continued.

liners, and I have had various figures submitted to me which give in detail the catching power of these different vessels; and then I have endeavoured to trace the growth of catching power from year to year on that basis. The details are so elaborate that it would be a waste of the time of the Committee if I were to give them here. I have converted all steam vessels into their equivalents as it were in sailing vessels on the basis of figures which have been submitted to me. All the trawling smacks of the first class have been regarded as catching the same quantity of fish on the average, and then the steam vessels, steam trawlers, have been converted into their equivalents in smacks; that is to say, from 1889 to 1898 the steam trawlers have been regarded as equivalent in each year to a certain number of smacks. The result is, that in 1889 the calculations yield an estimated catching power equivalent to 2,859 smacks for the East Coast. This number increased quite steadily up to 1898, when the total catching power was equivalent to 7,143 smacks. Without going into further details, I may say that the result of the inquiry was to show that the catching power of trawlers and liners had trebled for the East Coast fisheries, and had more than doubled for the trawl fisheries of the South and West Coasts. If those figures be compared with the annual quantities of bottom fish landed we see that the growth of catching power has far exceeded the growth in the returns of all fish landed, which for the East Coast did not exceed 30 per cent. during the whole term of 10 years. Without giving the details, it is obvious therefore that the quantity of bottom fish landed, that is to say usually all trawl fish, has not kept pace in its increase with the growth of the catching power. The result of all these figures is to show without any possibility of equivocation, I think, that there has been a very great impoverishment of the trawling grounds—an impoverishment which calls for drastic legislation in order to arrest its continuance.

3651. Have you any doubt that it is a growing evil?—I have no doubt at all.

3652. Coming now to the methods; you say it calls for drastic methods; what, in your opinion, would be the most perfect method if you could adopt it?—Consideration of this point has been given in a paper [Journal of the Marine Biological Association, Vol. III., 1895, pp. 337–446] on the Grimsby Trawl Fishery by my colleague, Mr. Holt, who after considering the various methods that have been suggested, strongly upholds the view that the best method would be to legislate purely for plaice by imposing a size limit of about 13 inches for a limited portion of the year from March to August; his object being that if such a limit was imposed for that period the trawl fisheries on the eastern grounds of the North Sea, where immature fish are most abundant, would be altogether prevented; there would not be sufficient fish left on the ground above the size limit to make it worth while for trawlers to go there and fish. Consequently the result would be entirely to save those eastern grounds from the ravages of trawlers, and to enable the immature fish to grow up to a larger size, and to migrate to the deeper waters of the North Sea, and at the same

Chairman—continued.

time, owing to the fact that certain fishes spawn in those areas, would protect to some extent the spawning grounds of those flat fishes—sole and turbot.

3653. You are saying that as his opinion is it yours?—I entirely concur with Mr. Holt's opinion.

3654. Therefore, this Bill, I take it, in your view fails in respect of plaice in not making the limit large enough?—Yes.

3655. What do you say about the sole and the other fishes mentioned in the Bill?—With regard to turbot, brill, and sole the evidence we have, and which has been very carefully collected, appears to show that even at present there is a serious retention of fish below those sizes by deep sea trawlers. The effect of the Bill would certainly be to stop the supply into the market of a considerable number of those smaller fish from the in-shore trawlers, but the saving, so far as the deep sea trawlers are concerned, would be scarcely appreciable.

3656. What do you consider about the question of prohibiting fishing altogether, if that could be done by international agreement, in these fishing beds?—If it were possible, of course there is no doubt that that would be the very best method to adopt on certain grounds, that is to say, the grounds where the small fish particularly congregate; if you could only prohibit the fishing on the eastern grounds no doubt a very great benefit would accrue to the trawling industry: of course it is with a view to preventing such fishing that Mr. Holt's suggestion is made of imposing a size limit of 13 inches.

3657. That would be to do it indirectly?—Yes, without international co-operation.

3658. You are aware that the view of the Bill is to do it indirectly. You have explained you do not think the limit in the Bill is large enough to do it effectively, but the view of the Bill is, of course, to protect those very grounds now we are speaking of indirectly?—Yes; but on that point, of course, we have figures showing the relative numbers of the fish of different sizes on the eastern grounds, and our view is that the proportion of plaice and soles below eight inches on those grounds, and the proportion of turbot and brill below 10 inches from those grounds is so insignificant compared with the number of immature fish above those sizes that the trawlers would not be prohibited from going there and working.

3659. What do you mean by "immature fish above those sizes;" are you using the term "immature" in the sense of not able to spawn?—Yes, entirely.

3660. You are not suggesting all the same that the limit should be the spawning limits?—No, by no means; we consider that would be so prohibitive that it would be quite impossible to enforce it.

3661. Is your view that the prohibition of trawling within the in-shore limits, so far as it has been made effective, is so far to the good?—There can be no doubt, of course, that every destruction of small fish that can be saved will be in itself a benefit. But my argument is that by restricting the benefit to a few in-shore fisheries the effect on the total fish would be quite

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quite inappreciable, and will not arrest the progressive impoverishment.

3662. There was a witness here the other day, a fisherman from the neighbourhood of the Firth of Tay, who suggested that a great deal could be done if certain banks outside the 3-mile limit near the estuary there could be stopped being fished; do you know anything about that neighbourhood?—I do not know anything directly about the Scottish waters.

3663. You are aware that the 3-mile limit in Scottish waters is universal?—Yes.

3664. And that besides that, there are certain bays, such as the Moray Firth and St. Andrew Bay, which have been stopped by bye-law?—Oh, yes.

3665. Taking a place of the size of the Moray Firth, do you think it would have an appreciable influence?—It would entirely depend upon the particular region; the size alone would scarcely give you a sufficient indication.

3666. It would depend upon whether small fish frequented the particular place?—It would depend on the fish living there.

General Goldsworthy.

3667. You said that the number of smacks, calculating the steam trawlers in as ordinary smacks, had increased to 7,143; I did not catch in how many years it was?—Ten years, from 1889 to 1898 for the East Coast alone, that is to say from Berwick to Ramsgate.

3668. With reference to the sizes in the Bill, there was an idea with some people that these sizes were got more in-shore, closer to the coast, than the North Sea, the general fishing grounds of the North Sea; that was the evidence we had in some cases, and that that would interfere with their occupation. Of course, these immature fish would afterwards, when they grew larger, go out further to sea, I presume?—As a rule; they are at the same time subject to in-shore migrations after the spawning season to a large extent.

Mr. Seale-Hayne.

3669. You referred just now to Mr. Holt's report, which I have in my hand; I do not understand from that report that he recommends that the provisions of the Bill should only apply to a portion of the year, because he refers here to a size limit of 13 inches for plaice and he says that would be sufficient even if only enforced during the spring and summer; I do not know whether you can put your hand upon a definite recommendation; I have not been able to do so myself?—I think Mr. Holt's argument is that he wishes, as far as possible, not to inconvenience the trade more than is necessary in order to arrest the impoverishment; but on looking through the figures which he collected as to the preponderance of immature fish at different seasons of the year he came to the conclusion that owing to the vastly greater destruction of immature fish in those months, I understand from March to August, it would suffice to arrest the impoverishment if the size limit were enforced for only that period. Of course the benefit would be still greater to the stock of fish in the sea altogether if the limit was carried on for the whole year, but he tries to reduce it to the minimum limits possible.

Mr. Seale-Hayne—continued.

3670. That is for those to judge who have to deal with it as a public question, but as a mere scientific question I presume his opinion would be as indicated here, that the continuance for the whole year would be better?—I do not think he is very emphatic upon that. Might I read the figures showing the preponderance of immature fish at different seasons of the year? Dealing with those landed at Grimsby, Mr. Holt shows that from March to August the percentage of plaice below 13 inches landed at Grimsby is from 39 per cent. to a maximum of 67 per cent. It begins to rise from March onwards from 39 per cent., then in April 47 per cent., in May 67 per cent. (that is the maximum), and then it begins gradually to fall: in June the percentage of these small fish below 13 inches is 63 per cent., in July 41 per cent., and in August 32 per cent. It decreases in the rest of the year to a minimum of 14 per cent. in the midwinter period. But you see, at least, half the plaice taken from March to August are not only immature but actually below 13 inches in length.

Sir Cameron Gull.

3671. Might I ask you whether it would be possible for the Committee to have copies of that pamphlet?—Yes; I have two copies here; I sent a copy of the Paper on the Impoverishment to the Chairman; there is one other there. Unfortunately it is not yet published, and I have only been able hastily to get together, owing to the short notice, a few advance copies. There is a copy of Mr. Holt's Paper here, which I have at your disposal, but I have no other copies here; if any other members of the Committee would like them I could send them on from Plymouth in a few days.

Chairman.] I think it would be absurd to put it on the notes.

Sir Cameron Gull.] But for the information of the Committee.

Chairman.] When they are ready, you might kindly send a dozen copies to the Committee Clerk.

Witness.] Yes.

Sir Cameron Gull.

3672. How long has your attention been called to this impoverishment of the sea?—As an Association, of course, we do not date to the beginning of the period of impoverishment; our Association was only founded in 1884, and the laboratory at Plymouth was not opened until 1888, but very soon after the opening of the laboratory our naturalists turned their attention to this question, which assumed a high degree of public importance about 1890 and up to 1893. In 1893 one of our naturalists was specially engaged to work on the North Sea area and the results of his work are published in this pamphlet here. The work in the North Sea area has been done as far as our limited means permitted for several years after that period, and indeed until we had done all that was possible by merely seeing the ships, and watching the proportions of different classes of fish and their sizes as landed from the trawlers. Our naturalists went out on ordinary trawlers for voyages for surveying

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surveying purposes, but actual work for experimental purposes was impossible, because it would require the hiring of a large vessel.

3673. Are you aware that serious complaints of the diminution of fish have at any rate been before Parliament for pretty well 200 years?—Oh, yes.

3674. Do you know the contents of the Act of 1714?—I forget the particular Act.

3675. It included all fish?—What was the provision?

3676. The provision attempted to prevent the bringing to shore of sole and practically all fish under considerable sizes, turbot 16, brill 14; I have not got all the figures, but they go down even to flounders, every kind of a fish?—There is a considerable difference between 16 inches and 10 inches.

3677. But you see that even 200 years ago there was a serious scare as to the loss of our food fish?—I know that complaints from our fishermen are almost as old as the fishing industry.

3678. So that special legislation would be very much against the fishermen?—I am afraid I do not know the conditions at the time. In those days, of course, fishing was entirely prosecuted by sailing vessels, and the catches were subject to great fluctuations in consequence of the weather; the weather might be bad for a period of five or six years, and many fishes are known to undergo fluctuations for a much longer period than that. In the herring fishing and mackerel fishing it is well known that for cycles of years, 10 even to 20 years, the fish may be entirely absent from a particular region of the coast under some unknown climatic causes, and then as suddenly re-appear, and are very abundant for another cycle. Of course in days when fishing was prosecuted by merely sailing vessels it was impossible for the fishermen to overcome those difficulties, but now with steam vessels growing at the rate they do, and the impoverishment still continuing, I am afraid it is impossible to look at the matter quite in the same way as one would look at the old complaints.

3679. Still in spite of those known conditions of uncertainty of the supply of fish, Parliament in those days was induced to pass most drastic legislation, extremely drastic, against the fishermen; they were liable to have their catch forfeited, and it was then given to the poor of the parish; it was not to be wasted as is suggested now, and they were liable to imprisonment and a public whipping. Then Parliament did not drop that matter; the history goes on to 1714, when the Act was amended and allowed the sale of fish caught by the hook; that was repealed again in 1756, and in 1760 there was another alteration. Then there is another point: you gave us the returns from 1860 to 1892, and you say there was a progressive diminution over the whole period?—You will find from the return—

3680. I take it as a fact there was a decrease?—Yes.

3681. In spite of that Parliament saw fit to repeal this original Act, this very stringent Act, only in the year 1868?—Yes.

3682. Can you give any suggestion why, if

Sir Cameron Gull—continued.

such legislation was a failure in 1868, although our attention had been called to the decrease of fish, we should go back to such legislation now?—

Chairman.] Was it not repealed by the Statute Law Revision Committee?

Sir Cameron Gull.] I have not been able to get the information; nobody knows; I cannot find it out. It was Mr. Fulton who gave the evidence in 1893 that it was repealed in 1868; it was never cross-examined.

Witness.] All the prohibitive Acts were repealed in 1868 by the Sea Fisheries Act. The legislation in 1868 ensued from the Royal Commission on Trawling in 1863, from 1863 to 1865, and it was made clear by that Commission. I think, at any rate the reporters were quite unanimous on the point, that it was desirable to repeal all prohibitive legislation dealing with the fisheries and throw all the fisheries open to free competition.

3683. And now we are asked, after 30 years to go back to restrictive legislation?—Not necessarily to the same restrictive legislation. We wish to consider the evidence and adopt such legislation as the evidence seems to demand, not merely because we want to prohibit fishing or anything of that kind.

3684. You stated that we have need now of drastic legislation?—Yes, well, it is merely a matter of evidence; if the evidence points to a stable condition of the fisheries, I suppose there would be no demand for any legislation at all, but I and others have made careful examination of the evidence, and so far as all the accurate statistics are concerned, there is no possible doubt that the fisheries are not in a stable condition, but have been steadily going down within the period of at least 30 years in which the figures are available.

3685. And there is no use putting drastic legislation on the Statute Book unless we can do some good by it?—Precisely.

3686. Can you point out how such legislation which has been a failure for 150 years is going to benefit the fisheries?—I am afraid I cannot discuss the legislation of the past.

3687. Can you tell me how the proposals of this Bill are going in your opinion to increase the supply of fish?—I am afraid my evidence, so far as this Bill is concerned, is against the Bill. I am afraid on the whole this Bill will do no good whatever.

Chairman.] He has said quite plainly that he thinks the size should be 13 inches.

Sir Cameron Gull.

3688. Assuming, for the sake of argument, that you would extend this Bill for plaice up to 13 inches, how then is it going to do good—to increase the supply?—In particular by preventing the trawlers from working on the shallow portion of the grounds of the North Sea from the Horn Reef down to the Frisian Islands on the north of Holland. The size limit of 13 inches for plaice alone if imposed would entirely prevent the trawlers visiting those grounds from getting a catch which would pay them for the labour of going there. There would practically be

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be no fish left for them to catch above the limit assigned, and consequently the whole of that vast region, which is populated almost exclusively by immature fish, would be left untouched. These fishes, as is now well-known, migrate after the summer from those shallow grounds into deeper water and cross towards the Dogger Bank. They populate the whole of that region after the summer. By leaving the fish to grow larger and not destroying them when small, of course, each individual fish will grow to a much larger size, and if the high limit suggested by Mr. Holt is imposed, namely 13 inches, of course, there will be a much stronger chance for a large number of these fishes to attain maturity, the size of maturity for plaice in the North Sea being 17 inches I think. In that way the actual number of fish would be increased by extra fish being allowed to spawn. Of course the size of the individual fishes would be very much greater than it is at present, because there would be a very much smaller number of the small fish brought back.

3689. That would, no doubt, be so as regards English markets, but if you put the limit at 13 inches, you at once open the whole of the foreign markets not only to the fish caught by our trawlers, but to the fish caught by foreign trawlers?—Yes, undoubtedly, our men could go across to foreign coasts, but even at present the foreign trawlers prefer, I think, to land their small fish at our ports; at any rate, they do to a very large extent. There is not a sufficient market on the Continent, I believe, to encourage all our trawlers, or any considerable percentage of them, to land those small fish on the continental side.

3690. But you know the highest limit imposed by any foreign country is 9 inches for plaice?—Yes, it is very small; and in France it is only 5 inches.

3691. Denmark is the highest with 9½ inches, and the others go to France; if this legislation were passed do you think there would still be a considerable temptation for our trawlers to land fish between 9 and 13 inches on a foreign coast?—Of course it is not a matter on which I can give very detailed evidence; my opinion would be that if our trawlers in any numbers landed these small fish at the continental ports, the result would be such a fall in the price of fishes on the Continent as really not to make it worth their while to continue the practice; and consequently they would endeavour to limit themselves to the larger fishes which would fetch a much higher price in the English market.

3692. As regards the South Coast and the West Coast, do you consider that any considerable destruction is caused there by the taking of these immature fish?—Not nearly so much apparently as on the East Coast, but, of course, a certain amount of destruction is invariably done wherever shrimping is carried on and wherever trawlers are allowed to fish in the bays. As a matter of fact under the District Fishery Committees trawling in the bays is largely prohibited, and consequently so far as the larger trawlers are concerned there is not any very appreciable destruction of immature fish on the South and West Coasts. I am afraid this Bill will scarcely

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Sir Cameron Gull—continued.

touch the destruction of immature flat fish which is carried on by the long-shore shrimpers, because by the methods of these shrimpers the immature fish are destroyed in the process of catching.

3693. Do you not think that fixing the size of 13 inches for plaice might operate hardly on the South Coast and West Coast?—Undoubtedly; I think it would be quite impossible to apply it to the whole region, and it ought to be limited to the North Sea.

3694. Where would you draw the limit?—At about Ramsgate, the Straits of Dover practically.

3695. You would not apply the Bill except to fish landed at ports north of Ramsgate?—That is so.

3696. I think you said that this prohibition should be only for certain months of the year?—That is an alternative suggestion made by Mr. Holt; if you wish really to arrest the impoverishment you must somehow keep the trawlers from those eastern grounds, and he suggests as a method of doing this independently of international co-operation that you should raise the size of plaice to 13 inches; that would undoubtedly keep the trawlers off those eastern grounds.

3697. For the whole year?—No, for a portion of the year, during the time the small fish are most abundant there.

3698. I think that entirely carries out the facts put before us by Mr. Towse, the Secretary to the Fishmongers' Company, that practically the greater amount of these small fish are landed in Billingsgate during several months?—Yes, I have the actual figures here.

3699. And when he was asked for a return of immature small fish for all the months of the year he said there were no figures except for the summer months?—That is not true, because our own naturalists have prepared the figures for Grimsby.

3700. I know that I asked him for returns for the whole year and he said that practically there were none?—I suppose he is referring to the returns of the Fishmongers' Company.

3701. Yes. The small fish landed?—I do not dispute that.

3702. I asked him "May we have the figures for the complete year, in November, and so on," and his answer is "It is only the months I have told you. The undersized fish comes generally in May, June, and July. In certain years it is continued to September." Therefore you think that if this Bill were really limited to plaice of that size for three or four months of the year and limited to harbours north of Ramsgate you would do something to lessen the destruction of these fish without seriously interfering with the work of the fisherman?—Oh, yes.

Mr. Pretzman.

3703. You spoke about shrimpers destroying fish in their nets; do you mean that very small immature fish brought up in the shrimp net are brought up dead?—No, I was drawing a distinction between the push net used by shrimpers and the shrimp trawl. There is plenty of evidence that the small flat fish caught in the shrimp trawl are brought up alive, and it is the habit of shrimpers in many localities to throw these fish overboard and let them live.

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3704. That

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Mr. *Pretyman*—continued.

3704. That is exactly my experience, that the small fish brought up in the shrimp net are brought up alive?—In the shrimp trawl.

3705. So that they can be returned to the sea?—Yes, and in many localities such as the Solway Firth, or rather in many localities, I will not be precise, they are returned alive; but there is not quite the same result when we are dealing with the push net, the long shore shrimp net, which men push along the shore, or with the cart trawls used in the Humber. In those cases these small flat fish are not examined when the catch is brought in at once; generally the man takes the nets home or takes them up to high water mark, and a long interval elapses before he examines them, with the consequence that a great portion of them are dead, and could not be returned to the sea under the conditions of the industry. Consequently there is a large destruction of minute flat fishes, especially plaice and soles, under the conditions of that particular industry.

3706. You would not say that it is the usual practice to do that, would you? to take the net up to high water mark before it is emptied?—No, it would be difficult for me to say it is the usual practice, but we have evidence that it does occur on the East Coast to some extent.

3707. I may say that I have seen that process carried on on the East Coast hundreds of times, and the usual practice is to trawl at low-water with a cart or with a push net?—Yes.

3708. And the man does not confine himself to one scrape but he comes to the edge of the sea to empty his net in order that he may go in again, and I have seen these little fish turned out by hundreds on the edge of the sea at low water, on the edge of the sand, and the majority of them would survive?—They threw them back again?

3709. Well, they would be on the wet sand, and the sea would cover them within an hour.—I quite agree that the actual destruction by shrimpers is not nearly so serious as that by the deep sea fishermen on the eastern grounds.

3710. There is one thing arising out of the evidence you have given at this moment: you suggested that the operation of this Bill ought to be limited to the north of Ramsgate?—Not of this Bill; I did not suggest that.

3711. I am putting the size out and I should have said that; of course, the question of size is a point with regard to which amendment may be made either way in this Bill, I will not say according to this Bill, but supposing your size was adopted?—Supposing a larger size were adopted amounting to at least 12 inches and up to 13 inches say, then it would do a great amount of good to the trawl fishery if the limit was imposed for only that portion of the sea.

3712. But as a practical question how do you suppose that that could be enforced? How would you be able to know if these fish were sold on the London market where they came from?—Well, it would largely depend on the intelligence of the fishery officer of course. As a matter of fact there is no difficulty in detecting whether fish come from the North Sea or from the South and West Coasts, simply from the general appearance of the fish; but quite apart from that the argument in support of the proposition to

Mr. *Pretyman*—continued.

restrict the limit in the North Sea is based on grounds of this kind. So far as small fish are concerned it would not pay East Coast trawlers to go round to the South and West Coasts and catch these small fish and then return with them to the London market.

3713. I did not suggest that; that was not my suggestion at all?—I beg your pardon.

3714. What I meant was this: that supposing an inspector goes to a fishmonger's shop in London somewhere in the East End, we will say, and there he sees fish below the legal limit which we will assume had been fixed at 12 inches; he sees a 10-inch plaice exposed for sale; that is illegal if they come from the East Coast?—Yes.

3715. But it is not illegal if they come from Brixham. How would that man be able to trace where those fish came from?—Practically there would be no small fish sent from Brixham because the railway freight would be so exorbitant.

Chairman.

3716. May I interpose one question, because I see exactly what the honourable Member wants. Your object in the size of 13 inches is to stop the depredations on those grounds in the North Sea?—Yes.

3717. What the honourable Member wants to know is this: What is there to prevent the trawler going to those grounds and filling up with immature fish, and then instead of bringing his fish to one of the East Coast ports, going into Bristol Channel and landing them there, sending them up to London from there?—The prohibitive influence would be the freight.

Mr. *Pretyman*.

3718. Why should not he land his fish at Dover?—The distance and the low price realised would make it practically prohibitive.

3719. At Dover?—Yes.

3720. I would traverse that statement, because the difference between taking a loaded steam carrier, as many go now, to Yarmouth or Lowestoft and taking it to Dover would be very small?—I should think it would be possible to fix the line of demarcation a little west of Dover which would make it practically prohibitive, because the price realised by the small fish is really very small.

3721. We have had it in evidence that they are mixed, we have had a sample box here, and it has been stated that they are put up in boxes of, say, 500 fish, containing a few sizable fish and a very large number of small fish; these are landed and fetch about 10s. a box, and at a slack time in summer it might conceivably pay a trawler to get a mixed cargo of that kind and land it all just outside your line; I am only speaking of the practical difficulty?—We admit there is a practical difficulty in the matter, but from the kind of consideration I have advanced we consider it is not insuperable.

Chairman.

3722. Might I ask what you meant by saying it would be possible by the look of the fish themselves to tell whether they had come from the North Sea or not?—In the first place we know

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know that the plaice on the South Coast are of a different race from those on the East Coast. For example, they mature at a very much smaller size; instead of maturing at an average of 17 inches the plaice on the South Coast mature on an average at about 13 or 14 inches, and there are slight differences in the form of the fish, in the scales on the fish, and that kind of thing, which renders it possible to detect the difference between the two races of fish.

Mr. Pretymann.

3723. There are not many people who have sufficient knowledge for that; would such evidence as could be given on that basis be sufficient to secure a conviction in a court of law?—No, not on that alone, I am afraid it would have to depend on other grounds as well.

3724. That is what the whole thing depends upon. The whole working of an Act of this kind depends upon whether you can enforce it successfully or not?—No doubt.

3725. And that is our difficulty?—I should think it is quite likely that there would be some small percentage of the fish that would get through in that way, and that no doubt would contravene the Act, but on the whole I think this limit suggested of 13 inches would prohibit such a vast amount of the destruction going on at present that it would really benefit the trade, in spite of the small percentage of fish that would get through by dodging the Act in that way.

3726. With regard to the practical difficulty of enforcing the Act, which would be caused by the line of demarcation, on one side of which these fish might be sold and on the other side of which they might not be sold, do you think that would not make it almost necessary if you enforced it at all to make it universal?—It would be almost impossible to enforce the limit universally; I will not say it would be impossible, but my impression is that it would be almost impossible and it would require careful consideration.

3727. Even if it were only for certain months?—Yes. I only suggested it as an alternative scheme worthy of consideration, not that I propose now off-hand to suggest an amendment of this present Bill, I think we want further evidence on several different aspects before such a suggestion could be made, but it is one possible way of meeting the present depletion.

3728. Failing international agreement, which we are all agreed would be the proper way of dealing with this question?—Undoubtedly.

3729. Failing international agreement have you any suggestion to make better than that contained in this Bill?—I have only made this alternative suggestion of raising the limit for plaice up to 13 inches for the North Sea, which would practically, in our opinion, limit the work of the greater number of trawlers to the deep part of the sea, where the small fish do not abound.

Mr. Rothschild.

3730. I only want to ask you one or two questions on a subject that has not been touched during your evidence. We had several fishermen up from Brixham and other places who were very indignant about this limit, and said that in

Mr. Rothschild—continued.

their districts there were certainly three kinds of sole, and that two out of the three kinds never grew larger than 8 or nine inches. These soles they designated as the sole, the thick-backed sole and the sand sole. When Dr. Gunther was asked on that subject he declared that there were certainly three kinds of sole: the sole, the lemon sole, and the solenette, and that the thick-backed and sand soles of these fishermen did not exist. Sir Cameron Gull got up from Brixham a pair of each of these so-called fishes according to the fishermen, and they turned out to be the true sole, the variegated sole, and the lemon sole. What I want to know is, at Plymouth are you always able to distinguish the variegated or thick-backed soles from the others?—Oh, yes. In the summary of my evidence which was handed to the Chairman, I made the suggestion that, supposing this Bill is proceeded with, an exception ought to be made of the different kinds of sole which you have mentioned. There is no doubt that the thick-back is a very easily recognisable fish, and very common on the South Coast, and it is an article of commerce which the fishermen value, because they sell it as a cheap food to the people, and it would be a great pity, and I think a mistake, to rob them of that possibility. The merry sole ought also to be mentioned, because on the South Coast the lemon sole of the North Sea is known as the merry sole, and therefore it ought to be excluded from the operation of the limit, and also the sand sole.

3731. The sand sole, as far as we could make out, was the same as the lemon sole?—I think it is not; I think it is a true sole. The lemon sole is not really a proper sole, as naturalists know it, but a dab; it is more like a flat fish or a dab, although it is a more tasty fish, of course, whereas the sand sole is a true relative of the common sole—what naturalists call *solea lascaris*; then there is the *solea variegata*, and then there is the *solenette*.

3732. That is a picture of the lemon sole (showing to the Witness an illustration in Mr. Couch's book)?—That is a true sole.

3733. That is a sand sole?—Yes.

3734. That is what Couch identified as a lemon sole?—That is a mistake.

3735. The lemon sole, as far as I know it, is the thing he calls the smear dab (referring to Couch's book). That is the one I have always seen in the market?—That is the lemon sole of the North Sea fishermen and the merry sole of the South Coast.

Sir Cameron Gull.

3736. They are also called witch soles?—Yes. I would suggest that to prevent confusion, of course, we might exclude these things expressly from the Bill.

Sir Brampton Gurdon.

3737. I have been very much struck by these figures you put in as to the Deep Sea trawlers; apparently that is not the bulk, but the actual number of fish?—That is the actual number of fish.

3738. Do you mean to say that the fish were counted?—No, it is done by taking the commercial

5 July 1900.]

Mr. GARSTANG.

[Continued.]

Sir Brampton Gurdon—continued.

mercial boxes of the fishermen; they sort their fish into boxes of large and boxes of small, and a number of boxes of fish are counted and then the number is multiplied out.

3739. We have heard a great deal about the bank between Texel Light and Horn Reef being nursery of small fish; if that is fished by British vessels they would be called deep sea trawlers?—Yes.

3740. Because they could not get there without crossing the deep sea?—Yes.

3741. In those figures you have given us we have those boxes which contain 10 or 12 large fish, and about 400 small fish under eight inches, and that has caused tremendous destruction, but according to these statistics the deep sea trawlers, which would trawl on this particular nursery of small fish, get three fish over 13 inches to two fish under 13 inches, and if you go as high as 17½ they bring in seven over 17 to 9½ under 17, so that the destruction of small fish is infinitesimal. You told us that the deep sea trawlers did not do any harm, and that they really did not destroy any small fish at all, and yet that would include fishing in this particular nursery?—I think the result is due to misapprehension as to the scope of these figures; these figures deal with the fish coming from the whole North Sea and not only from the small fish grounds. If you take the eastern grounds alone, I can give you figures showing the actual quantity of small fishes on those eastern grounds.

3742. On that particular bank?—Yes, on the eastern grounds; for example out of 13 hauls of the trawl made off Borkum and Schiermonnikoog, two islands off the north of Holland, 141 baskets of plaice were caught. Of these 141 baskets, 93½ contained plaice from 7 to 13 inches in length, and they were brought to market; the remaining 47½ baskets consisted of fish from 4 to 7 inches in length, and these were shovelled overboard as being unmarketable. The actual number of small plaice thrown away probably exceeded the number of plaice brought home.

3743. So that the whole of the fish taken in those 13 hauls were not only immature, but even below 13 inches in length?—I beg your pardon.

Sir Brampton Gurdon—continued.

That refers to the plaice; but, as a matter of fact, it would almost apply to the whole of them, because the quantity of mature soles and turbot found there is really very small; I would give you the figures, but these figures refer only to plaice on those grounds where the boats go close inshore.

3744. With regard to these fish under 7 inches that are shovelled back into the sea, do you suggest that any of them live?—On that point evidence can be adduced that, supposing small trawlers work for a time, even up to four or five hours at a haul, only a small proportion of the fish are dead; but, so far as I know, there is an absolute lack of evidence showing that any considerable proportion of the small fish returned from big trawlers would survive. It is the opinion of all our naturalists, in succession, as well as Dr. Fulton, of the Fishery Board—from his published remarks, at any rate—that, so far as deep sea trawlers are concerned, a very small proportion of the small fish caught would survive if put back into the sea. The majority of them are so crushed by the enormous weight of fish taken in a 50-foot or 70-foot trawl that the quantity surviving would be inappreciable. Of course on that point we have no direct evidence so far as I know, because it requires naturally the hire of a big trawler for the purpose of investigation.

Sir Cameron Gull.

3745. Have you any knowledge of the fisheries of Scotland?—No personal knowledge; of course I know the results as contained in the Fishery Board's Reports.

3746. Would you apply the evidence you have given to Scotland so far as applicable?—I do not think it is applicable; I have dealt with the eastern grounds of the North Sea. I might add, perhaps, on that point that the experiments of the Scottish Fishery Board in closing those big areas, the Firth of Forth and St. Andrew's Bay, show that legislation which merely affects in-shore fisheries alone has no effect in stopping the general decrease of the fisheries. Notwithstanding the closure of those areas for 10 years the plaice and haddock continued to decrease owing to the swamping effects of the over fishing off-shore.

A P P E N D I X.

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A P P E N D I X.

APPENDIX, No. 1.

PAPER handed in by Mr. Archer.

TABLE A.

QUANTITY, Value, and Average Price of the Classes of Fish mentioned in the Bill landed on the Coasts of *England and Wales* from 1890 (the year from which the principal development in Steam Trawling took place) to 1899.

	QUANTITY.				VALUE.				AVERAGE PRICE PER CWT.			
	Brill.	Soles.	Turbot.	Plaice.	Brill.	Soles.	Turbot.	Plaice.	Brill.	Soles.	Turbot.	Plaice.
	<i>Cwts.</i>	<i>Cwts.</i>	<i>Cwts.</i>	<i>Cwts.</i>	£.	£.	£.	£.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
1890	15,403	72,129	51,879	622,577	36,928	458,331	189,895	599,787	2 7 11½	6 7 1	3 13 2½	- 19 3½
1891	16,571	82,688	56,875	711,322	39,905	517,146	209,006	670,316	2 8 2	6 5 1	3 13 6	- 18 10½
1892	17,740	72,821	62,630	696,227	45,527	499,453	228,569	711,279	2 11 4	6 17 2	3 13 -	1 - 5½
1893	18,784	79,984	68,237	845,908	48,315	540,038	258,320	841,101	2 11 5½	6 15 -½	3 15 8½	- 19 10½
1894	18,396	82,817	81,886	855,408	47,340	540,850	297,482	817,729	2 11 5½	6 10 7½	3 12 8½	- 19 1½
1895	19,000	82,786	77,931	789,123	48,637	564,325	301,997	821,085	2 11 2½	6 16 4	3 17 6	1 - 9½
1896	19,451	83,604	80,119	720,094	48,692	545,160	284,175	795,001	2 10 -½	6 10 5	3 10 11½	1 2 1
1897	18,487	79,298	69,578	746,881	50,170	558,191	254,811	853,267	2 14 3½	7 - 9½	3 13 3	1 2 10½
1898	19,878	82,911	69,948	715,760	55,382	591,274	269,853	873,680	2 15 8½	7 2 7½	3 17 2	1 4 5
1899	20,296	79,056	65,422	752,438	56,330	569,526	259,900	922,595	2 15 6	7 4 1	3 19 5½	1 4 6½

Quantity of Fish landed in the period 1890-94, compared with 1895-99.			
Description of Fish.	1890-94.	1895-99.	TOTAL
	<i>Cwts.</i>	<i>Cwts.</i>	<i>Cwts.</i>
Brill - -	86,894	97,112	184,006
Soles - -	390,434	407,655	798,089
Turbot - -	321,457	362,998	684,455
Plaice - -	3,731,742	3,724,296	7,456,038
TOTAL - -	4,530,527	4,592,061	9,122,588

Average Prices per Cwt.			
—	1890-94.	1895-99.	Increase per Cent.
	£. s. d.	£. s. d.	
Brill - -	2 10 1	2 13 4	5·09
Soles - -	6 11 -	6 18 10	6·
Turbot - -	3 13 7½	3 15 8	2·7
Plaice - -	- 19 6	1 2 11½	17·5

Percentage of Total Catch.

Brill - - - - -	2·02 per cent.
Soles - - - - -	8·75 „
Turbot - - - - -	7·5 „
Plaice - - - - -	81·73 „

TABLE B.

TABLE B.—NUMBER and Average Tonnage of Steam Fishing Boats which were also Registered as "British Ships" under the MERCHANT SHIPPING ACT, 1894, at the Principal Ports in *England and Wales*, in each year from 1883 to 1899, inclusive.

Port of Registry.	1883.		1884.		1885.		1886.		1887.		1888.		1889.		1890.		1891.	
	Number.	Average Tonnage.	Number.	Average Tonnage.	Number.	Average Tonnage.	Number.	Average Tonnage.	Number.	Average Tonnage.	Number.	Average Tonnage.	Number.	Average Tonnage.	Number.	Average Tonnage.	Number.	Average Tonnage.
Boston -	-	-	-	-	2	72	10	60	10	60	10	60	10	60	15	57	21	53
Bristol -	-	-	-	-	-	-	-	-	-	-	1	28	2	52	3	47	5	46
Fleetwood -	-	-	-	-	1	52	2	16	-	-	-	-	-	-	-	-	-	-
Grimsby -	9	62	15	79	20	78	20	81	21	82	26	82	37	79	50	76	98	96
Hartlepool -	1	59	1	7	1	7	1	8	1	8	1	8	1	8	2	11	2	11
Hull -	10	108	10	108	15	88	29	75	35	72	52	68	61	65	79	62	135	135
Liverpool -	3	45	3	44	2	44	1	18	1	18	-	-	4	50	5	46	4	44
London -	11	93	20	97	22	96	24	94	24	97	22	99	19	99	20	98	21	96
Milford -	1	19	2	32	2	32	1	45	1	38	2	23	2	39	2	52	4	4
Rye -	1	25	2	16	-	-	-	-	3	18	4	18	3	18	3	18	2	16
Scarborough -	27	28	22	27	22	27	18	26	16	26	18	26	18	30	18	29	18	23
Sunderland -	22	17	19	17	25	17	23	18	19	21	16	21	16	24	13	26	10	26
Yarmouth -	2	92	5	79	7	59	7	59	3	95	2	103	-	-	-	-	1	34
Tyne Ports -	68	13	93	12	96	11	94	10	92	9	90	9	81	10	89	13	98	14
At other Ports -	26	-	32	-	36	-	45	-	49	-	50	-	41	-	39	-	37	-
TOTAL -	181		224		251		275		275		294		295		338		459	

Port of Registry.	1892.		1893.		1894.		1895.		1896.		1897.		1898.		1899.	
	Number.	Average Tonnage.	Number.	Average Tonnage.	Number.	Average Tonnage.	Number.	Average Tonnage.	Number.	Average Tonnage.	Number.	Average Tonnage.	Number.	Average Tonnage.	Number.	Average Tonnage.
Boston -	28	57	30	53	30	57	30	58	30	58	30	58	31	57	28	57
Bristol -	7	48	7	48	7	48	6	48	7	48	7	48	7	48	7	48
Fleetwood -	-	-	-	-	-	-	6	29	8	43	36	49	38	47	4	4
Grimsby -	110	65	138	62	167	61	188	59	230	56	280	56	364	57	419	50
Hartlepool -	2	11	3	8	2	4	3	8	2	11	5	21	6	26	10	2
Hull -	155	58	169	58	192	59	215	59	241	60	260	60	304	61	376	50
Liverpool -	7	50	6	44	8	43	8	43	10	43	10	45	10	45	10	45
London -	23	86	25	82	23	78	20	82	27	91	30	89	36	82	35	82
Milford -	12	47	12	47	12	49	12	51	24	41	24	40	30	39	36	36
Rye -	3	15	3	15	3	15	3	15	3	15	3	15	3	9	2	2
Scarborough -	16	24	16	24	17	24	18	24	19	23	20	23	18	24	18	23
Sunderland -	10	25	10	25	10	25	7	28	6	26	6	26	11	25	13	23
Yarmouth -	2	60	3	41	6	31	5	49	7	39	7	39	11	35	17	34
Tyne Ports -	106	16	113	17	114	17	115	17	114	17	107	19	115	20	118	18
At other Ports -	31	-	27	-	22	-	21	-	20	-	15	-	16	-	19	-
TOTAL -	512		562		613		657		748		840		1,000		1,116	

B. 1.

TABLE showing the Nature of the Employment in 1893 and in 1899 of the first-class Boats (i.e. 15 tons and upwards), registered under the SEA FISHERIES ACT, 1868 (now under Part IV. of the Merchant Shipping Act, 1894) at each Port in *England and Wales*, and remaining on the Register at the end of those years

Year.	Sail or Steam.	1st Class.								
		Trawling.	Trawling, &c.	Nets.	Lines.	Dredging.	N.L.D., &c.	Others.	Not Employed.	TOTAL.
1893	Sailing Vessels - -	2,037	81	667	186	88	111	1	100	3,271
	Steam Vessels - -	480	15	4	56	1	4	-	3	563
	TOTAL - - -	2,517	96	671	242	89	115	1	103	3,834
1899	Sailing Vessels - -	1,133	65	658	63	73	115	14	74	2,195
	Steam Vessels - -	1,009	16	16	67	4	3	1	5	1,121
	TOTAL - - -	2,142	81	674	130	77	118	15	79	3,316

TABLE C.

BYE-LAWS made under the SEA FISHERIES REGULATION ACTS, 1888 to 1894, which affect Trawl Fishing in
England and Wales.

Districts.	Prohibitions.	Exceptions.
Northumberland - -	All trawling - - - - -	(In almost every case exception is made for trawling for scientific purposes, if duly sanctioned.)
North-Eastern - -	Trawling - - - - -	(a) Shrimp trawls with beam less than 8 feet, and cleared every half hour. (b) In the Humber, shrimp trawls with beam less than 20 feet, cleared every hour from 1st March to 31st October. (c) Between Flamborough and Bridlington, sailing boats with trawls with beams less than 22 feet cleared every half hour, from 1st February to 30th September.
Tees - - - -	Trawling.	
Eastern - - - -	Trawling between Salthouse and Cromer (N. Norfolk Coast). Trawling between Gibraltar Point and Dorma Nook (Lincolnshire Coast). Use of Otter or beamless trawl.	(a) By sailing or row boats with beam less than 22 feet, and net cleared every hour. (b) Shrimp trawls from 1st March to 30th November.
*Suffolk and Essex - -	Trawling in rivers Stour, Orwell, and Deben.	
Kent and Essex - -	Trawls with more than 36 rows of knots to the yard.	(a) Nets for flounders and soles with not more than 30 rows of knots to the yard (at cod end 36 rows) 1 inch. (b) Shrimp trawls with not more than 108 rows to the yard (at cod end 144 rows) $\frac{1}{2}$ inch. Shrimp trawls.
Sussex - - - -	Trawls with more than 30 rows of knots to the yard.	
Southern - - - -	Steam trawling. All trawling between Portland and St. Alban's Head.	
Southampton - -	Trawls with less than 1 inch mesh - -	Shrimp trawls with beams less than 14 feet.
Devon - - - -	Steam trawling - - - - - All trawling within the bays along South Coast.	Shrimp trawls with beams less than 8 feet, and net cleared every half hour.
*Exe - - - -	All trawling.	
*Teigh - - - -	Any net of smaller mesh than $1\frac{1}{2}$ inch from knot to knot.	
*Taw and Torridge - -	All trawling.	
Cornwall - - - -	Steam trawling.	
*Camel - - - -	All trawling.	
Glamorgan - - - -	Trawls of smaller mesh than $1\frac{1}{2}$ inches from knot to knot, and with beam greater than 40 feet, and with net having a less circumference than 100 meshes. Steam trawling.	Shrimp trawls with mesh not less than $\frac{3}{4}$ inch, and with circumference not less than 160 meshes.
Milford - - - -	Trawls of smaller mesh than $1\frac{1}{2}$ inches from knot to knot. All trawling within certain bays - -	Shrimp trawls with mesh not less than $\frac{3}{4}$ inch. In part of Carmarthen Bay, trawls with beams less than 18 feet, and net cleared every half hour.
Western - - - -	Trawls of smaller mesh than $1\frac{1}{2}$ inches from knot to knot, with beam greater than 45 feet, and with net having a less circumference than 100 meshes. Steam trawling.	Shrimp trawls with mesh not less than $\frac{3}{4}$ inch, and with circumference not less than 160 meshes.

* Salmon Fishery Districts where Boards of Conservators have powers under the above Acts over the Sea Fisheries in rivers and estuaries.

TABLE C.—Bye-Laws made under Sea Fisheries Regulation Acts, 1888 to 1894, &c.—*continues.*

Districts.	Prohibitions.	Exceptions.
Lancashire - - -	Trawls of smaller mesh than 1½ inches, from knot to knot. 1st January to 30th June, trawls with beam greater than 30 feet or any trawl from a vessel exceeding 15 tons. Trawls (a) with beam less than 18 feet, with circumference of net less than 50 meshes; (b) With beam 18 feet to 25 feet, with circumference of net less than 60 meshes; (c) With beam over 25 feet, with circumference of net less than 80 meshes. Steam trawling. All trawling in closed ground off Blackpool.	South of Formby Point trawls with 1½ inches mesh from 1st January to 15th October. Shrimp trawls with mesh not less than ¾ inch, and with a specified ratio between length of beam and circumference of net.
*Dee - - -	Trawls of smaller mesh than 1½ inches from knot to knot, with beam greater than 25 feet, and with net having a less circumference than 50 meshes. Any device used as a rooter in front of the foot-rope of a trawl.	Shrimp trawls with mesh not less than ¾ inch, and with circumference of net not less than 120 meshes.
*Kent, Bela, Duddon, &c.	All trawling.	
Cumberland - - -	Trawls of smaller mesh than 1½ inches from knot to knot. 1st January to 30th June, trawls with beams greater than 30 feet or any trawl from a vessel exceeding 15 tons. Trawls (a) with beam less than 18 feet, with circumference of net less than 50 meshes. (b) With beam 18 feet to 25 feet, with circumference of net less than 60 meshes. (c) With beam over 25 feet, with circumference of net less than 80 meshes. Steam trawling.	Trawls with 1½ mesh from 1st January to 15th October. Shrimp trawls with mesh not less than ¾ inch and with a specified ratio between length of beam and circumference of net.

* Salmon Fishery Districts where Boards of Conservators have powers under the above Acts over the Fisheries in rivers and estuaries.

The coast line of England and Wales, omitting rivers, estuaries, and inlets, may roughly be taken as extending 1,700 miles. Along this—

Trawling is prohibited in territorial waters :—

- (a) By all vessels for about - - - - - 95 miles
- (b) By all vessels, with some exception for small boats and shrimpers, for about - - - - - 280 "
- (c) By steamers for about - - - - - 880 "

Trawling is regulated as to dimensions of net or beam for about - - - - - 760 "

I attach a map showing the effect of the Trawling Bye-Laws.



TABLE D.

MINIMUM SIZES.

—	France.		Denmark.		Belgium.	Germany.	Holland.	In Thames.	Channel Islands.
	From Eye to Root of Tail.	Would equal a Total Length of about.	From Nose to Root of Tail.	Would equal a Total Length of about.	Total Length.	Extreme Length.	Length.	Extreme Length.	Extreme Length.
		<i>In.</i>		<i>In.</i>			<i>In.</i>	<i>In.</i>	<i>In.</i>
haddock	—	—	8 tomms	9½	{ 25 c.m. 9·8 in. }	—	—	—	—
soles	{ 10 c.m. 3·9 in. }	5½	—	—	{ 18 c.m. 7·1 in. }	—	—	8	—
turbot	—	—	{ 8 tomms 8·2 in. }	9½	{ 25 c.m. 9·8 in. }	—	—	—	—
plaice	{ 10 c.m. 3·9 in. }	5½	{ 8 tomms 8·2 in. }	9½	{ 18 c.m. 7·1 in }	{ 15 c.m. 5·9 in. }	6½	8	—
Flat fish	—	—	—	—	—	—	—	—	9

APPENDIX, No. 2.

PAPER handed in by Dr. *Wemyss Fulton*.

I.—STATEMENT showing the Quantities of Flat Fishes landed on the Coasts of Scotland by Steam Trawlers during each of the Years 1890–99, with the Number of Steam Trawlers and the Average Quantity landed by each.

Year.	Number of Steam Trawlers.	Turbot.		Halibut.		Lemon Sole.		Flounder, Plaice and Brill.*		TOTAL Flat Fishes.	
		Cwts.	Average for each Trawler.	Cwts.	Average for each Trawler.	Cwts.	Average for each Trawler.	Cwts.	Average for each Trawler.	Cwts.	Average for each Trawler.
1890	- - - 47	4,019	85	44	1	16,328	347	49,271	1,048	69,663	1.45
1891	- - - 61	4,073	67	34	½	17,430	286	47,115	772	68,653	1.15
1892	- - - 118	3,588	30	131	1	23,156	196	39,738	337	66,613	.94
1893	- - - 111	3,404	31	556	5	17,018	153	45,744	412	66,812	.91
1894	- - - 115	2,463	21	636	5	17,656	153	46,711	406	67,466	.90
1895	- - - 112	3,047	27	833	7	19,061	170	47,031	420	69,972	.95
1896	- - - 109	4,737	43	839	8	18,358	168	54,132	497	78,065	1.12
1897	- - - 117	4,322	37	1,278	11	13,010	111	41,531	355	60,142	.83
1898	- - - 149	5,587	37	1,520	10	17,480	117	44,595	299	69,184	.94
1899	- - - 207	5,988	29	2,746	13	22,954	111	62,210	300	93,884	1.27

* These consist almost entirely of plaice.

II.—STATEMENT showing the Quantities of Cod and Haddock landed by Steam Trawlers on the Coasts of Scotland in the Years 1890–99, with similar particulars.

Year.	Number of Steam Trawlers.	Cod.		Haddock.	
		Cwts.	Average for each Trawler.	Cwts.	Average for each Trawler.
1890 - - -	47	29,716	632	130,840	2,784
1891 - - -	61	33,640	551	157,101	2,575
1892 - - -	118	39,576	335	210,008	1,780
1893 - - -	111	52,981	477	241,772	2,178
1894 - - -	115	77,308	672	259,168	2,253
1895 - - -	112	84,370	753	337,592	3,014
1896 - - -	109	109,578	1,005	319,213	2,928
1897 - - -	117	129,339	1,105	349,932	2,991
1898 - - -	149	165,593	1,111	461,208	3,095
1899 - - -	207	192,838	931	559,850	2,704

APPENDIX, No. 3.

PAPER handed in by Mr. *Harry Foster*, M.P.

IMMATURE FISH BILL.

Dear Sir,

Lowestoft, 29 June 1900.

IN reply to your letter of the 28th inst., the state of my health will not permit me to come to London to give evidence against the Bill.

Lowestoft gave its strong opinion against legislation before the last Parliamentary Committee in 1893 at great expense and loss of time, and I see no reason why the evidence then given cannot now be confirmed.

Fishermen are too nervous to come to London, and owners cannot spare the time from their business, and are sick of harassing legislation.

H. S. Foster, Esq., M.P.

I am, &c.
(signed) *H. G. Jones.*

THE FISHERIES ACTS AMENDMENT BILL, 1895.

The Smack and Fishing Boat Owners at the Port of Lowestoft will present a Petition against the above Bill of which the following is a copy, and have arranged with their member, H. S. Foster, Esq., to move an amendment to the Bill, which has been set down accordingly.

The Petitioners most earnestly solicit your support to such amendment when the same shall come on for discussion in the House, as their interests will be most prejudicially affected if the Bill as it stands should become law.

H. G. Jones,
Jas. Jackman, } Chairmen of Petitioners' Committee.

Lowestoft, 18 May 1895.

To the Honourable the Commons of Great Britain and Ireland in Parliament assembled.

The Humble Petition of the Smack and Fishing Boat Owners, Fishermen, Longshoremen, and others otherwise engaged or interested in the Fishing Trade at the Port of Lowestoft, in the County of Suffolk,

Humbly sheweth

1. That your Petitioners have heard with alarm of the introduction into your Honourable House of a Bill entitled "The Fisheries Acts Amendment Bill," by Part I. of which it is provided that no person shall import, export, buy, sell, or expose for sale, or have in his possession for sale, any sole or plaice not exceeding eight inches in length, or any turbot or brill not exceeding ten inches in length, under penalties upon conviction, and that powers of search and detention are proposed to be given by such Bill for the purpose of endeavouring to enforce its provisions.

2. That your Petitioners respectfully call the attention of your Honourable House to the following facts: that the Port of Lowestoft is now the second fishing port of the United Kingdom in regard to the value of fish landed (the value thereof for the year 1893 being, according to the Board of Trade Returns, 532,622*l.*); that the tonnage out of the port is upwards of 20,000 tons, and that about 4,000 hands are employed on board the vessels fishing out of the port. Any legislation affecting the fishing industry is therefore of vital moment to the Port of Lowestoft.

3. That your Petitioners would humbly draw the attention of your Honourable House to the Report of the Select Committee of your Honourable House, which reported in August 1892, and to the evidence given before the said Committee, and they submit that an examination of such evidence will show that the proposals in the present Bill are not supported by the evidence. The evidence given clearly showed that any damage which has been or is being done to the supply of fish in the North Sea has been occasioned by the introduction of steam trawling and by the method adopted by steam trawlers, and they respectfully call attention to the following objections to the present proposals, as proved in the evidence before the said Committee:

- A.—That the restrictions proposed to be applied cannot prevent the catching and destruction of undersized fish.
- B.—That it will deprive the fishermen of the proceeds of a portion of their catch, by compelling them to throw overboard what are defined as undersized flat fish, 90 per cent. of which are dead when brought up in the trawl.
- C.—That to throw overboard dead fish in the fishing grounds will be injurious to the same.
- D.—That there is an increasing market abroad for small-sized flat fish, and that the effect of the present Bill would be to deprive the British fishermen of the right of sale, while it would leave the ground free to the foreigner.

- E.—That it would inflict serious injury upon longshoremen and the fishermen around our coast who do no harm to unmarketable fish, but on the contrary it would compel them to throw away many marketable fish.
- F.—That, as stated in the Report of the said Committee, no opportunity has been offered to practical fishermen to be heard before the Committee, and that no restrictive legislation should be introduced until they have had an opportunity of giving evidence at their own ports and at a season of the year when they can be heard.
- G.—That in the event of such a Bill being passed it would introduce vexatious and harassing regulations as well as great delay in a trade, for the successful carrying on of which quickness of despatch and unhampered action are essentially necessary, and that it would be practically impossible to enforce it.
- H.—That if any such restrictive legislation is to be enforced it should be by an International Convention on the part of all the powers interested in the North Sea Fisheries, as expressly stated by the majority of the witnesses before the Select Committee and by the Committee in their report.
- 4.—That your humble Petitioners would further respectfully submit to your Honourable House that an inevitable result of the Bill becoming law would be to deprive the longshore fishermen of their living and compel them to seek employment elsewhere, so that in consequence thereof it would become impossible to obtain efficient crews to man the lifeboats on our coasts, and that such a result would necessitate the nationalisation of the lifeboat service at a great expense to the country and to the detriment of the service.

Your Petitioners therefore humbly pray

That your Honourable House will withhold its assent to Part I. of the said Bill.

And your Petitioners will ever pray.

APPENDIX, No. 4.

PAPER handed in by the *Chairman*.

Dear Sir,

3 July 1900.

As I shall be unable to be present when the Report of the Committee on the Sea Fisheries Bill is considered, I desire in one or two words to give you my opinion of the Bill, and to submit the following which I desire you will have recorded as my conclusions on the inquiry which is taking place.

I am quite in favour of any measures which can be taken to protect small fish from destruction, but I do not believe the Bill before the Committee will have that effect. The evidence which has been given goes to show that large numbers of the small fish which are sold are found dead in the trawl. That being so, I think it is a hardship upon the fishermen, and also upon the poorer classes of the people, to pass any law making it illegal to sell small fish, even though it is found dead in the nets. Some international agreement as to the close time or some such arrangement might be effectual in protecting small fish, but the present Bill would create any amount of trouble and do very little good. As long as fishermen cannot help catching the small with the large fish in their nets, it is, in my opinion, undesirable to put a hard and fast limit upon the size of all fish to be sold. I desire also to say that the evidence of practical fishermen from Ireland has not been heard.

Upon all these grounds I oppose the present Bill.

Yours truly,
William Redmond.

Right Hon. C. T. Ritchie,
Chairman of the Sea Fisheries Bill Committee.

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[*N.B.*—In this Index the figures following the Names of the Witnesses, and those in the Digest of Evidence of each Witness, refer to the Questions in the Evidence; the Figures following *App.* refer to the pages in the Appendix; and the Numerals following *Rep.* to the Pages in the Report and Proceedings of the Committee.]

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Grounds for the conclusion that there has been a great diminution during the last ten years in the more valuable flat fish in Scottish waters, with the exception probably of sole (which is a very rare fish off the Scotch coast); great falling off in the average catch per trawl, 1456-1481.—Increased means of capture since the substitution of the otter trawl for the beam trawl 1471-1474, 1486-1530.—Much more extensive area, further north, over which the steam trawls have fished in recent years, as shown by the increased catch of halibut, which is a deep sea fish, 1474-1481, 1520-1522, 1527-1531.—Great increase in the quantity of cod and haddock captured in 1899 as compared with 1890, round fish, however, not being dealt with by the present Bill; large increase in the average catch per trawl, 1482-1485, 1517-1522, 1527-1531.

Evidence to the effect that the diminished supply of flat fish is accounted for by excessive steam trawling and the large destruction of immature fish; very extensive area now swept every twenty-four hours by steam trawlers, 1486-1489, 1585, 1586.—Obstacles to a fixed limit of size to be applied to the capture of fish, 1490-1493.—Impracticability of applying a remedy by reducing the size of the mesh of the net, as the different kinds of flat fish vary much in size and confirmation, 1494-1497.

Great difficulty in securing the return of immature fish to the sea, 1498-1502.—Decided advantage if a direct prohibition of fishing in certain areas could be carried out and if they could be closed to foreign as well as home fishermen; difficulty through necessity of international agreement on the subject, 1503, 1504, 1523-1526, 1536-1539, 1567-1577, 1584, 1601-1611.

Conclusion

Report, 1900—continued.

Fulton, Dr. T. Wemyss. (Digest of his Evidence)—continued.

Conclusion in favour of the proposal in the Bill for prohibiting the sale of fish below certain fixed limits of size; belief that trawlers would be deterred thereby from going to the eastern part of the North Sea where the smaller fish abound, it being a nursery for small flat fish, 1505-1516. 1532-1535. 1626-1632. 1643, 1644—Consideration of the effect of the closing of the Moray Firth, for several years past, save as regards foreign trawlers; beneficial results anticipated as regards the local supply of fish of good size, especially if foreign trawlers could be excluded, 1525, 1526. 1540-1549. 1612-1620. 1645-1654. 1732-1736. 1764-1770.

Statement as to the total amount of fish landed in England as well as in Scotland having decreased; dissent from the view that the decreased supply from the North Sea may be due to the fish having been disturbed and driven far away by the incessant trawling, 1550-1560—Reasons for the opinion now held by witness that the proposed restriction upon the sale of undersized fish would deter fishermen from going to the grounds where such fish abound, for the sake of the larger fish on the same grounds, 1561-1566. 1578-1584.

Varying proportion of small fish which are dead when brought up in the trawls, this depending mainly on the duration of the haul and the species of the fish, 1578-1581. 1744-1750—Much less effect of the Bill as regards Scotch than English fishermen; doubt as to prices in Scotland being affected by the proposed restriction upon sale, 1587-1600. 1655-1676. 1738-1743—Advantage if a better steamer than the "Garland" were available for scientific investigations into the Scotch fisheries, 1612-1625. 1640, 1641. 1689-1693. 1713-1715.

Doubt as to the extent of the diminution in the size of the fish caught in recent years; improvement if the size could be increased and if it were possible to protect the grounds where immature fish are known to predominate, 1628-1639—Improvement if the limit of size in the case of plaice were increased by two inches, 1628. 1668-1671—Evidence to the effect that Scotch fishermen do not frequent grounds where small fish abound, specially for their capture, the Bill not being likely to have much effect in Scotland, 1655-1676. 1753-1755.

Concurrence in the view as to over-fishing, as well as the capture of immature fish, accounting for the falling off in the Scotch Fisheries, 1677-1684—Approval by Professor Huxley and the Royal Commission in 1883 of a prohibition of trawling in the bays and estuaries, this having led to the subsequent closing of St. Andrew's Bay, the Firth of Forth, and Aberdeen Bay; explanation as to the results of this experiment, neither the number nor size of the fish having increased, 1685-1687. 1716-1731.

Particulars respecting the "Garland" trawling operations in 1887 and the investigations as regards immature fish; definitions arrived at as regards the length or size at which maturity is attained in the case of soles, plaice, turbot, &c., 1688-1712—Explanation as regards the probable effect of the Bill in Scotland that the protection of immature and undersized fish must improve the coast fisheries generally, 1753-1755—Conclusions further expressed as to the great benefits likely to result from the closing of different areas, 1755-1770—Large decrease in the Scotch herring fisheries last year, but not in flat fish, 1771-1774.

G.

Garstang Walter. (Digest of his Evidence.)—Witness is in charge of certain fishery investigations under the Marine Biological Association, which is about to issue a pamphlet on "The Impoverishment of the Sea," 3641-3646. 3671.

Serious decrease in the fish supply of recent years; importance of drastic legislation to check the great impoverishment of the trawling grounds, which continues concurrently with the increased catching power of the vessels, 3647-3651. 3683-3685—Agreement with suggestion that the size limit for plaice is too low as fixed by the Bill; the limit should be thirteen inches from March to August, 3652-3654. 3668-3670. 3687-3691. 3693-3702.

Evidence to the effect that, with regard to turbot, brill, and sole, the destruction of undersized fish by trawlers is not serious; contention that the restriction of merely a few in-shore fisheries would be quite inadequate to check the impoverishment, 3655-3661—Doubt whether protection of the Moray Firth would be really appreciable, 3662-3666—Great increase of snacks on the East Coast in the years 1889-98: 3667.

Reference in detail to the pamphlet of the association represented by witness, copies of which he will send to the Committee; full account of the investigations of the naturalist sent to the North Sea by the association, 3671, 3672—Evidence respecting the legislation of the last 200 years in connection with the fishing industry: ill-success of all legislation up to the present time, 3673-3686—Belief that the present Bill would do no good whatever, 3687. 3692.

Recommendation

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Garstang, Walter. (Digest of his Evidence)—continued.

Recommendation that, for the North Sea only, the size limit for plaice should be thirteen inches; probable effect of this on the home and foreign trawlers, 3688-3695. 3710-3729—Conclusion that the small fish supply only continues for a few months in the summer, 3696-3702—Explanation that immature flat fish caught in shrimp trawls are thrown overboard and allowed to live, while those caught with shore shrimp nets are destroyed, 3703-3709.

Contention that the difficulty of ascertaining where immature fish had been caught would not be insuperable if only a part of the coast were protected, 3710-3729—Facility with which variegated or thick-backed soles may be distinguished from the sole proper; distinguishing features of lemon soles, sand soles, &c., 3730-3736.

Means of obtaining statistics relating to the quantity of fish caught by the deep-sea trawlers over a number of years, 3737, 3738—Particulars concerning certain statistics handed in by witness, especially with regard to the usual sizes of the fish brought to market, 3739-3744—Opinion that the evidence supplied by witness would be not applicable to Scotland, but must be confined to the North Sea, 3745, 3746.

Glen, William. (Digest of his Evidence.)—Witness is a wholesale fish merchant in St. Andrews and appears before the Committee at the invitation of Mr. Welsh, also of St. Andrews, and a member of the Fishery Board, 3291-3296.

Conclusions in favour of the Bill, which would protect the small fish and compel the fishermen to seek better grounds; desirability of forbidding fishing in the nursery grounds, 3297-3311. 3327-3329. 3377-3380—Explanation that the larger proportion of fish marketed at St. Andrews are round fish, 3312-3314—Belief that the St. Andrews men destroy very few small fish, 3315-3317—Small experience of witness concerning trawling; use of the hook and not the trawl at St. Andrews, 3317, 3318.

Variation in the quantities of fish landed; explanation that St. Andrews is only a small port, 3319-3326—Small market for undersized fish; complaint that the fish landed at St. Andrews are not of good size, 3327-3329. 3342-3348—Ill-condition of the fishing business at the port, 3330, 3331—Slight demand for flat fish, only a few of which are landed; small effect of the Bill on the St. Andrews fishermen, 3332-3334. 3342, 3343—Importance of closing the bay and adhering to the three-mile limit; for St. Andrews Bay may be regarded as a nursery to the fishery, 3335-3341—Inability of witness to specify any place where the men go expressly to catch small fish, 3344-3346. 3374-3376.

Wastage and shrinkage of fish when packed; belief that Scotch fishermen do not pack white fish with brine, 3349-3355. 3358—Consideration of the proposal for penalising any seller of flat fish less than eight inches long; difficulty of deciding how to act with regard to immature fish unintentionally caught in the trawl nets, 3356-3373.

Goodson, William Thomas. (Digest of his Evidence.)—Witness is a shrimper at Lynn: also catches small soles, 872-875—Belief that the soles of Lynn seldom grow to more than eight inches, 876, 877. 892-902—Strong objections to the Bill, which would cause a serious reduction in the earnings of witness; opinion that it would only be an advantage to deep sea fishermen outside the Wash, 878-902.

Explanation that when trawling in the Wash much rubbish is caught by the fishermen in their nets, which causes great destruction to the small fish, 903-906—Evidence as to the habits of the fish in the Wash; difficulty of catching any soles at all during the winter months, as they go too far out, 907-914—Contention that any soles bigger than six inches are fit for sale, 915-919.

Government Departments. Conclusion as to the great importance of providing for the adequate equipment of the Government Departments in charge of the fisheries, *Rep.* iv.

Grimsby. Particulars respecting the operations of the Great Grimsby Company: diminution in the quantities of flat fish experienced by the company since 1885, both when employing smacks and when sending out steam trawlers, *Mudd* 2506-2520—Unanimous desire of the fishing community at Grimsby that the Bill should be passed: belief that it is the best measure possible at the moment, *ib.* 2553-2558. 2668-2683.

Evidence to the effect that the vessels of witness' company at Grimsby go to the nurseries at certain times for the express purpose of catching small plaice; conclusion that the practice will be stopped if the Bill is passed, *Mudd* 2559-2569. 2577. 2634-2640. 2668-2683—Explanation that trawlers from Grimsby do not go to sea solely to catch small fish, *Webster* 2962-2965. 2972-2980.

See also *East Coast. Trawlers.*

Günther, Dr. Albert. (Digest of his Evidence.)—Witness has carefully considered the Bill, of which he entirely approves, particularly owing to its plain and practical nature, 920-923. 946. 970-973. 978. 1063. 1122-1124—Impossibility of preventing the capture of undersized fish, though it is desirable to prohibit their sale; suggestions as to the various uses for small fish if accidentally caught, 923. 1037. 1126.

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Günther, Dr. Albert. (Digest of his Evidence)—continued.

Information respecting the rate of growth of flat fish; representation that the effect of the Bill would be to allow immature fish to arrive at maturity, or at least a saleable size, before being caught, 924-928. 1013. 1038. 1049. 1122-1124—Opinion that the passing of the Bill would tend to increase the fish supply and also the average size of the fish; reference hereon to the observations of Dr. Petersen on the importance of increasing the breeding stock, 929, 930. 978. 1060, 1001. 1038—Haunts and habits of flat fish and details as to their propagation; contention that there is no sole peculiar to the Wash and which never exceeds seven or eight inches, 930-938. 984, 985. 1014, 1015. 1084-1088.

Explanation that witness has only considered the present subject from a scientific point of view and not at all in its commercial aspect; reference hereon to certain evidence given by him before the Committee of 1893; 939-946. 950-952. 1041-1043. 1049. 1080—Slight experience of witness as to steam trawling; disbelief in the statement that eighty or ninety per cent. of the flat fish caught by steam trawlers are brought up dead or dying, 947-963.

Witness has only secondhand information to the effect that quantities of small fish are destroyed and used as manure because unsaleable; contention that fishermen would not go where only small fish abounded if there were no longer any market for them, 964-978. 1043-1048—Explanation that in all parts of the North Sea the fish vary in size according to the time of year and are sometimes all small and sometimes big, 979-983.

Evidence as to the ages at which various kinds of fish arrive at maturity, both in the Channel and the North Sea, 986-999. 1049-1058. 1100-1106—Opinion in favour of raising the size limit of the Bill; objection to different size limits for different districts, 1002-1008. 1059-1064.

Controversy between scientific men as to whether the closing of certain bays does not do more harm than good, 1009-1012—Exhaustion of the North Sea through overfishing, especially in the case of flat fish; reasons which tend to the greater destruction of flat fish, in spite of their superior vitality, 1016-1022. 1095-1099—Doubt as to the effects of legislation abroad; probability that universal protection would follow if England and Denmark took the lead, 1023-1026. 1044-1048. 1129, 1130.

Futility of closing small areas; opinion in favour of dividing the North Sea into large areas which should be successively closed, each for about three or four years, 1025-1032—Desirability of extending scientific investigation, the present inadequacy of which is responsible for the state of affairs now complained of, 1033-1036—Inexperience of witness as to the Irish fisheries, 1039, 1040. 1059.

Evidence to the effect that small fish suffer far greater destruction from natural causes, such as seagulls and starfish, than from trawlers, 1065-1074. 1107-1124—Difficulty of deciding how long any particular fish can be kept out of water with impunity; conclusion that many fish caught by trawlers might live if returned to the sea with greater despatch than is now customary, 1075-1079—Opinion in favour of hatcheries, but rather as a means of profit than of replenishing the sea; evidence respecting the hatching experiments in Norway and America, 1080-1083—Destruction caused by shallow trawling, 1089-1094.

Comparative vitality of different kinds of flat fish, 1095-1099—Desirability of fixing size limits according to the age of maturity, 1100-1106—Suggestion as to a means of partly preventing the destruction of small fish by their natural enemies, 1107-1119—Evidence to the effect that since 1893 there has been an appreciable advance in scientific knowledge of fish and their habits; value of the closing of certain areas in Scotland, for the purpose of scientific research, 1125. 1127-1130.

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Hatcheries. Opinion in favour of hatcheries, but rather as a means of profit than of replenishing the sea; evidence respecting the hatching experiments in Norway and America, *Günther* 1080-1083.

Hellyer, Charles. (Digest of his Evidence.)—Explanations in connection with the small size of a large number of plaice in a box or trunk containing 410 fish, very few being large, recently sold at Billingsgate for 12s.; average price of 7s. per trunk, 2068-2086.—Special facilities for sale at a small cost in London, as the fish are brought direct from the ports by water carriage, 2082, 2083. 2087, 2088.

[Second Examination.]—Long and varied experience of witness in connection with the Hull fishing business; enumeration of the various appointments held by him from time to time, 2089-2098.

Hellyer, Charles. (Digest of his Evidence)—continued.

Reasons for the opinion that the passing of the proposed Sea Fisheries Bill would prevent the catching of undersized fish, whilst the trawlers from this country would hail it with pleasure, 2099–2107. 2134–2137. 2195–2199. 2225. 2273–2277—Common use of the seine net all round the coast of England and Wales; description of this net by which great numbers of undersized fish are caught, 2107–2110. 2285–2290.

Explanation that though the passing of the Bill may temporarily deprive fishermen in certain places of a means of livelihood, they will benefit by it eventually; opinion strongly in favour of the Bill, which would increase the supply of mature fish, 2111–2119. 2185–2187. 2225–2229. 2273–2277—Evidence to the effect that vessels go to the North Sea and other districts for the express purpose of catching undersized fish; decrease in the supply of both small and large fish owing to over-fishing, 2120–2129. 2356–2387—Explanation that if the fisheries in the North Sea abound at all, the fish are mostly of good size, 2130–2133.

Facilities afforded for going further afield than in former years, owing to the greater power of the vessels; necessity, also, for finding new grounds, because of the scarcity of fish in the North Sea, 2138–2142—Decrease in the quantity of fish drawn from the North Sea during the last ten years; also, in the total number resulting from the deep sea fishing from Hull and Grimsby, although the catching powers have greatly increased, 2143–2146. 2388–2403.

Evidence to the effect that the east coast of England, especially Hull, Grimsby, and Lowestoft, would be much more affected by the Bill than any other part of the coast; advantage to witness' family if the Bill be passed, 2147–2153—Conclusion that thirty stones' weight of plaice are thrown overboard, for every six stones brought to market; use of the larger or "containing" fish to lay at the top of the boxes, 2154–2164. 2365–2387—Statement that many of the fish are dead when hauled in by the nets, though the percentage varies according to the character of the fishing ground; futility of nets with larger meshes, as the strain contracts them and prevents the fish escaping, 2165–2176. 2404–2411.

Absence of any market at the Humber ports for soles or plaice less than eight inches long; objection to the limit in the Bill, as too small, 2177–2184. 2356–2364—Opinion that the regulations should be uniform all round the coast of Great Britain and Ireland; also, that anyone selling fish less than eight inches long should be fined; 2185–2204. 2213—Extensive operations of the fishermen from Brixham, who have always been the pioneers of the business in Ireland and certain parts of England. 2191–2194.

Necessity for legislation to prevent fishermen from going to the habitats of immature fish, and so force them to go further afield, 2195–2199. 2412–2419—Futility of throwing all the dead immature fish overboard; suggestion, however, that they may always be reserved for food for the fishermen, 2205–2209—Opinion that the limit for sole and plaice should be raised to ten inches, and for brill to twelve inches, 2210–2214—Exception taken to the evidence given by a fish dealer in Dublin, whose experience has not been extensive, 2215–2223.

Reasons for regarding the present Bill as a tentative measure; necessity for international and far-reaching legislation in the future, 2226–2231. 2275–2277. 2412–2419—Enumeration of the three causes of exhaustion in the North Sea: firstly, the catching of the young fry; secondly, enormous catching power of the modern vessel; thirdly, use of the seine net and other appliances round the coast, 2232–2238—Explanation that witness does not know of any over-fishing in the North Sea as regards mature fish, 2235–2238.

Reasons for the main market for undersized fish being London; belief that if the Bill were passed foreigners would almost cease to fish where the immature fish abound, as there is little or no market for them abroad, 2239–2242. 2249–2258—Development of the trawling industry in recent years; introduction of steam trawlers at Hull in 1884; 2243–2246.

Further particulars concerning the fleet from Fleetwood, which sells fish in the London market at 7s. a trunk, 2247, 2248. 2318–2353—Small effect of line fishermen in causing the destruction of immature fish; protection of the Scotch coasts against the British, but not against the foreigner, 2259–2263. 2482–2488—Belief that the passing of the Bill will result in a reduction of price in the future, but not appreciably at present, 2264–2271.

Increased demand in recent years for small fish; explanation that many fish are now marketable which would not have been appreciated ten years ago, 2272. 2304–2309—Particulars respecting the various kinds of fish caught in the English Channel; small effect of the Bill on users of the seine net, 2278–2290—Description of the trawling nets and the contrivance for preventing the escape of the fish, 2291–2295—Experience of witness that both large and small fish are sometimes thrown away for want of a market, 2296–2298. 2301–2303.

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Hellyer, Charles. (Digest of his Evidence)—continued.

Evidence to the effect that the great majority of the North Sea fishermen are now abstaining from fishing upon the nursery grounds, because there are not sufficient large fish to pay them, 2310-2325. 2470-2474—Variation of the price in the whole-sale market, 2354, 2355—Information to the effect that there are men who go out to sea with the sole idea of catching undersized fish, hoping to find a market for them in London, 2365-2387.

Belief that the complaint of a dwindling fish supply has been heard frequently during the present century and long before the introduction of steam trawling, 2388-2403—Explanation that there are nurseries in the neighbourhood of Lowestoft, which are frequented by the fishermen there, 2420-2437.

Objection to certain clauses in the Bill; incompetency of an officer of Customs as inspector, 2438-2442. 2475-2481—Suggestion that special officers should be appointed by the Board of Trade, and stationed at the landing places to observe the size of the fish brought in, 2441-2451. 2475-2481—Opinion that not even a small percentage of undersized fish should be allowed to pass, though the officer should be guided by circumstances and use his own discretion as to culpability, 2452-2460.

Suggestion that inspection and detention should be confined to the place of landing; desirability of penalising anyone inland who exposes undersized fish for sale, 2461-2465—Representation that up to a certain point trawling over new ground is beneficial, as instanced in Iceland and on the Dogger Bank, 2466-2469.

Documentary evidence obtained from the Board of Trade returns as to the quantities of fish imported into the business ports of the south, west, and east coasts, 2489, 2490—Suggestion as to the best means of protecting the North Sea nurseries; recommendation hereon that lightships should be stationed at various points between Texel Point and the Horn Reef, 2491-2496.

Herring Fisheries. Large decrease in the Scotch herring fisheries last year, but not in flat fish, *Fulton* 1771-1774.

I.

Iceland. Cause of the comparatively small value of Icelandic fish, *Mudd* 2622.

Immature and Undersized Fish. See *Small and Immature Fish.*

Inspection. Qualifications necessary for an inspector who is allowed to detain boxes of fish; opinion that there should be no difficulty in carrying out the provisions of the Bill as regards prohibiting the sale of small fish, *Towse* 614-629—Objection to certain clauses in the Bill; incompetency of an officer of Customs as inspector, *Hellyer* 2438-2442. 2475-2481—Suggestion that special officers should be appointed by the Board of Trade and stationed at the landing places to observe the size of the fish brought in, *ib.* 2441-2451. 2475-2481.

Opinion that not even a small percentage of undersized fish should be allowed to pass, though the officer should be guided by circumstances and use his own discretion as to culpability, *Hellyer* 2452-2460—Strong objection to inspection on landing, which would seriously delay the transport of the fish to London, *Webster* 2958, 2959. 2993-2999.

International Regulations. Great difficulty in working an international agreement for the protection and policing of fishing areas, *Archer* 311-313—Preference of witness for international regulations, which, however, must be preceded by national legislation on the part of all the countries interested, *Towse* 478-495. 590-595. 672-674—Reasons for regarding the present Bill as a tentative measure; necessity for international and far-reaching legislation in the future, *Hellyer* 2226-2231. 2275-2277. 2412-2419—Desirability of an international agreement, dealing with the whole question of the fisheries, *McNaughton* 2751, 2752. 2758-2760. 2779, 2780.

Reference to the proceedings of the Conference of the Powers at Stockholm as not yet available with regard to the remedial steps to be taken, *Rep.* iv—Special importance attached to the adoption of international regulations as soon as possible, *ib.*

See also *Foreign Countries.*

Ireland. Conclusions, as regards Ireland, in favour of the Bill as preventing the landing and sale of undersized fish; belief that there is great destruction of small fish unfit for food, *Sir T. Brady* 1134-1137. 1139. 1167-1170. 1203-1205. 1215 *et seq.*—Desirability of making it clear that the proposed Bill will apply in its fullest sense to Ireland, as it would be of great advantage to the Irish fisheries, *ib.* 1138, 1139. 1144-1147. 1210-1212. 1215, 1216. 1223, 1224—Importance of further development of the Irish fisheries, *ib.* 1167-1170—Doubt whether any nurseries exist off the Irish coast, or whether the flat fish supply has decreased, *ib.* 1200-1208. 1306.

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Increase of steam trawlers to the exclusion of sailing trawlers to the Irish fisheries; expediency of Government control over steam trawling for the protection of the fisheries, *Sir T. Brady* 1213, 1214—Means of obtaining statistics in Ireland; complaint that there is no scientific investigation, *ib.* 1240–1243—Particulars respecting the method in Ireland of conveying the fish to market and conducting the sale thereof, *ib.* 1283–1305.

Approval, as regards Ireland, of the principle of the present Bill and of the prohibition of the sale of immature fish; witness submitting, however, that the size limit is too large and would prevent the sale of much fish which are a marketable commodity and good for food, *Sir T. D. Pile* 1779 *et seq.*—Great destruction of immature fish on certain parts of the east coast of Ireland by seine nets; considerable use of these nets by farmers who send very small and worthless fish to market in the same boxes with some large fish, *ib.* 1781, 1782. 1794–1798. 1817–1831.

Representation by Mr. Redmond (Member of the Committee) that the evidence of practical fishermen from Ireland has not been heard, and that the proposed prohibition of the sale of small fish would be a great hardship, *App.* 151.

J.

Johnson, J. R. (Digest of his Evidence.)—Long experience of witness as a trawling vessel owner at Yarmouth; agreement with the evidence of Mr. Webster and Mr. Pitchers, 3245–3250.

Objections to the Bill as useless; explanation that witness does not go to any place where there is an extraordinary proportion of small fish, 3251–3258. 3265–3268—Practice of witness not to seek a small fish market in Germany, 3259, 3260. 3274–3276—Comparison of steam and sailing trawlers, 3261–3264—Habit of witness to throw overboard all undersized fish, 3269–3273—Particulars respecting witness' experience at Ameland and Terschelling; decrease in the fish supply, 3277–3290.

Jones, H. G. Letter from Mr. Jones, dated, Lowestoft, 29 June 1900, protesting against legislation; petition submitted on the subject, *App.* 149, 150.

K.

Kenner, Robert. (Digest of his Evidence.)—Witness is a fisherman at Brixham, possessing his own boat, 1307–1310.

Objections to the Bill as unduly limiting the saleable size of sole and as very detrimental to witness' industry; explanation that it is impossible to avoid catching small fish, 1311–1322. 1327. 1331–1338. 1368–1375. 1441–1451—Belief that ninety per cent. of the fish caught by the Brixham trawlers are dead when brought on board; particulars respecting the causes of this mortality, 1323–1326. 1335–1338. 1364–1367. 1430–1440—Evidence as to the number of boats at Brixham and the kinds of fish principally caught, 1328–1330.

Explanation that in spite of the Bill the same grounds would be fished as now; impossibility of preventing the destruction of small fish except by closing the areas, 1335–1349—Distinction between the various kinds of sole and particulars respecting their usual sizes, 1350–1363. 1417–1424. 1428, 1429—Superior vitality of flat compared with round fish, 1366.

Witness represents the opinion of all the Brixham fishermen, who complain that if the Bill were passed a great number of small fish would be needlessly wasted, 1368–1380—Recent decrease of flat fish at Brixham; belief that the closing of the bays is responsible, 1381–1384—Representation of Brixham on the Devon Sea Fisheries Committee, 1385–1388.

Explanation that when trawling witness catches about thirty per cent. of small fish half of which are thrown overboard; sale of the other half locally, as being too small for the London market, 1389–1408. 1441–1451—Details as to the manner of treating and sorting the fish when brought on deck; practice of witness to keep his trawls down about six hours, 1409–1416—Custom of witness to trawl between Portland Bill and the Eddystone, in from eight to forty fathoms of water; reason for thinking that the soles caught would be no bigger if the trawling were done in deeper water, 1425–1429.

L.

Landing of Small Fish. Recommendation that the Bill should make it compulsory that no small fish should be landed, *Sir T. Brady* 1171–1199.

Legislation. Reference to an Act passed in 1714, prohibiting the capture and sale of small fish; doubt as to the cause of its repeal, *Archer* 28, 29. 228–230. 296–299—Concurrence of evidence in favour of legislative restrictions upon the sale of undersized and immature fish, *Archer* 59 *et seq.*; *Günther* 920 *et seq.*; *Fulton* 1505 *et seq.*; *Hellyer* 2099 *et seq.*

Evidence

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Evidence respecting the legislation of the last 200 years in connection with the fishing industry; ill-success of all legislation up to the present time, *Garstang* 3673-3686—Belief that the present Bill would do no good whatever, *ib.* 3687. 3692.

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SMALL

SMALL AND IMMATURE FISH :

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2. *Effect of the Bill as regards the Capture and Destruction of Small Fish; conflicting Evidence on this point.*
3. *Conclusions of the Committee.*

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T.

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SPECIAL REPORT

AND

REPORT

FROM THE

SELECT COMMITTEE

ON THE

SEA FISHERIES BILL;

WITH THE

PROCEEDINGS OF THE COMMITTEE.

*Ordered, by The House of Commons, to be Printed,
19 July 1900.*

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1900.

And which Amendment was, to leave out the word "now," and at the end of the Question to add the words "upon this day six months"—(Sir *Cameron Gull*.)

Question put :—The House divided; Ayes 180, Noes 33.

[Monday, 21st May 1900]:—Nomination of Select Committee,—Mr. Vaughan-Davies, Mr. George Doughty, and Mr. Harry Foster nominated Members of the Committee.

And, the Motion being opposed, after a brief statement from a Member who opposed it, Mr. Speaker put the Question in pursuance of Standing Order No. 16:—The House divided: Ayes 212, Noes 77.

Motion made, and Question proposed, "That Five be the quorum of the Committee"—(Sir William Walrond.)

And, the Motion being opposed, after a brief statement from a Member who opposed it, Mr. Speaker put the Question in pursuance of Standing Order No. 16 :—The House divided; Ayes 184, Noes 116.

[illegible]

SPECIAL REPORT.

THE SELECT COMMITTEE to whom the SEA FISHERIES BILL was referred :—

HAVE agreed to the following SPECIAL REPORT :—

YOUR COMMITTEE have held eight sittings for the purpose of taking evidence. They did not consider it necessary to duplicate the evidence laid before the Committee of 1893. They thought it expedient, however, to examine certain scientific experts with the view of completing the statistics up to date, and to allow an expression of opinion from witnesses both of that class and of the class of local fishermen as to the effect of the provisions of this Bill.

Your Committee think that it is proved beyond doubt that there is a very serious diminution of the supply of certain kinds of flat fish, particularly in the North Sea. Of late years the total quantity of such fish caught has remained nearly stationary. This fact, when taken along with the enormously increased catching power and the vastly larger area of sea subjected to fishing operations, seems to show that the ancient fishing grounds are much depleted. The whole of the local evidence, differing in many other respects, is practically unanimous as to this point. It seems clear that the evil is a growing one, and that in default of a remedy the consequences to the fishing industry in the diminished supply of flat fish will at no very distant future be disastrous.

Your Committee are of opinion that one of the causes of this diminution of supply is undoubtedly the destruction of immature fish. It is quite certain that the destruction of fish below a certain size is an evil. Vast quantities of such fish are thrown away as unfit for any market; and further, many of the smaller fish are only used as a make-weight for the sale of occasional larger specimens packed in the same boxes, being in themselves almost unmarketable.

Remedies against the destruction of such fish must be either direct or indirect. Direct remedies lie in either the prohibition of the taking and killing of such fish, or in the prohibition of fishing within certain areas where small fish more particularly abound. The first of these direct remedies your Committee are of opinion is practically impossible without prohibiting trawling altogether. Most of the small fish are killed whenever the trawl has been for a considerable time in the water, and it is not too much to say that small fish that are caught by means of deep-sea trawling could not be returned to the sea alive. As regards the second of these direct remedies, your Committee think that it is established that there are certain well-known areas in the North Sea where small and young fish undoubtedly do congregate, and to prevent fishing in such areas would be obviously of great value. But such a result could not be obtained without joint international action among the Powers bordering the North Sea. The difficulties of such international action and the policing necessarily ancillary thereto are obvious. They are, however, outside the scope of this Bill, and your Committee do not think it is necessary for them to say anything more on that subject.

The other class of remedy is the indirect remedy, and it is in furtherance of such an indirect remedy that this Bill is framed. The idea upon which the Bill is based is that by prohibiting the sale of fish beneath a certain size limit it would make it not worth while for the fishermen to resort to places where these small fish abound. On the point of whether that object would be obtained if the Bill were made law, the evidence laid before your Committee has been conflicting. In favour of the Bill, the large trawlers generally who come from the ports of Hull and Grimsby have expressed their view that the Bill would be effectual, and that if the London market, which, according to them, is really the only effective market open for very small fish, were closed, the result would be that it would not be worth while for trawlers to go to the banks of the North Sea, already referred to. On the other hand, the fishing trade of Yarmouth, Lowestoft and Brixham contend that the Bill would not prevent

the destruction of small fish, while it would necessarily introduce harassing conditions. In this opinion the smaller trawlers and the inshore net fishermen, such as shrimpers, and so forth, agree. Line fishermen, as a body, preserve what may be termed as an indifferent, but not unfavourable attitude. They do not feel, and this seems to be true generally of Scotch line fishermen, that the Bill would in any way hamper or interfere with them, because it is a fact that very few small flat fish are taken by the line, and that for such as are taken in that manner there is really no market. They are not clear whether the Bill would effect the object desired, but inasmuch as it would not interfere with them they are willing that anything should be tried which possibly might do good and could not do them harm.

This question is further complicated by that of the size limit. Taking place alone, as to which fish the necessity for some remedial action in the North Sea seems the most pressing, some of the scientific witnesses were of opinion that the Bill as it stood would do something to effect its object, although they all desired to see the size limit extended. An important witness, representing the Marine Biological Association, was of opinion that if the size remained as in the Bill the Bill would be of no practical use, and that it would only be effective if the size limit was increased to 13 inches. As regards the other fishes mentioned in the Bill, your Committee think that evidence was brought forward sufficient to show that there are several varieties of the sole tribe that do not grow to large sizes, and that to take the sizes in the Bill as regards sole would be, in certain districts, to prohibit all practical fishing.

In these circumstances your Committee feel that it would not be expedient to pass the Bill into law without further inquiry and investigation, and they therefore have determined to report the Bill without Amendment to the House.

As regards investigation, your Committee feel very strongly that the materials for forming a just conclusion upon such subjects are not what they might be. As regards scientific work, a Conference of the Powers was held last year at Stockholm. The result of that conference is not yet available. It is premature to discuss in the present state of knowledge the result of its labours. The Scotch Fishery Board have accumulated some valuable statistics, but their investigations have been hampered by inadequate means. They have not much money at their disposal, and the vessel which they have for the purpose of scientific investigation is undoubtedly too small. Yet, such as they are, they are the only investigations made by a Government department in the Kingdom devoted to that subject only. It is true that a contribution of 1,000*l.* is made to the Marine Biological Association, and the Board of Trade possess the services of a scientific expert. But that gentleman is fully occupied with administrative duties, and the Board have never been given the resources or the staff requisite for scientific investigation, or for the essential work of inquiring as to the efforts of other countries, and tabulating the results obtained by such inquiries. The consequence has been that your Committee were particularly struck by the fact that not only is there much doubt as to the precise position of foreign law in regard to restrictive legislation affecting fisheries and its result, but that upon the question of what has been practically achieved in the United States of America certain information is not easily available.

Your Committee feel that the subject of the diminution of the fish supply is a very pressing one, and that the situation is going from bad to worse. In their view no effort ought to be spared (first) to arrange for international treatment of the subject generally, and especially for regulation of the North Sea area; and (second) to provide for the adequate equipment of the Government Departments in charge of the subject, so that they may effectively pursue scientific investigation, and ascertain with sufficiency and precision what has been done either in the way of scientific research or in the matter of practical legislation by other inquirers and by other countries, with the view of determining whether any, and, if so, what legislation may be desirable to effect the objects of the Bill.

19 July 1900.

R E P O R T.

THE SELECT COMMITTEE to whom the SEA FISHERIES BILL was referred ;——
HAVE agreed to report the same, without Amendment, to the House.

19 *July* 1900.

PROCEEDINGS OF THE COMMITTEE

Wednesday, 23rd May 1900.

MEMBERS PRESENT:

Mr. Ritchie.
Mr. Vaughan-Davies.
Mr. Seale-Hayne.
Mr. Pretyman.

General Goldsworthy
Mr. Doughty.
Mr. Redmond.
Captain Sinclair.

Mr. RITCHIE was called to the Chair.

[Adjourned till Tuesday, 19th June, at Twelve o'clock]

Tuesday, 19th June 1900.

MEMBERS PRESENT:

Mr. RITCHIE in the Chair.

Sir Brampton Gurdon.
Mr. Rothschild.
Captain Sinclair.
Mr. Seale-Hayne.

General Goldsworthy.
Sir Cameron Gull.
Mr. George Doughty.
Mr. Harry Foster.

Mr. *Walter Archer* was examined.

[Adjourned till Thursday next, at Twelve o'clock]

Thursday, 21st June 1900.

MEMBERS PRESENT:

Mr. RITCHIE in the Chair.

General Goldsworthy.
Sir Brampton Gurdon.
Mr. Harry Foster.
Mr. Rothschild.
Mr. Doughty.
Sir Cameron Gull.

Captain Sinclair.
Mr. Vaughan-Davies.
Mr. Graham Murray.
Mr. Seale-Hayne.
Captain Pretyman.

Mr. *John Wrench Towse*, Mr. *Matthew Chase*, and Mr. *William Thomas Goodson* were examined.

[Adjourned till Monday next, at Twelve o'clock]

Monday, 25th June 1900.

MEMBERS PRESENT :

Mr. RITCHIE in the Chair.

Mr. Rothschild.
Mr. Doughty.
Mr. Vaughan-Davies.
Sir Cameron Gull.
Captain Sinclair.
Mr. Seale-Hayne.

General Goldsworthy.
Sir Brampton Gurdon.
Mr. Harry Foster.
Mr. William Redmond.
Captain Pretyman.

Dr. *Albert Günther*, Sir *Thomas Brady*, and Mr. *Robert Kenner* were examined.

[Adjourned till To-morrow, at Twelve o'clock.]

Tuesday, 26th June 1900.

MEMBERS PRESENT :

Mr. GRAHAM MURRAY in the Chair.

Mr. Rothschild.
Sir Brampton Gurdon.
General Goldsworthy.
Mr. Doughty.
Mr. Seale-Hayne.
Sir Cameron Gull.

Mr. Vaughan-Davies.
Captain Sinclair.
Mr. Harry Foster.
Captain Pretyman.
Mr. William Redmond.

In the absence of the Chairman, Mr. GRAHAM MURRAY was called to the Chair.

Dr. *Wemyss Fulton*, Sir *Thomas Devereux Pile*, Mr. *James Sydenham*, and Mr. *Charles Hellyer* were examined.

[Adjourned till Thursday next, at Twelve o'clock.]

Thursday, 28th June 1900.

MEMBERS PRESENT :

Mr. RITCHIE in the Chair.

Mr. Rothschild.
Mr. Doughty.
Captain Sinclair.
Mr. Seale-Hayne.
General Goldsworthy.

Sir Brampton Gurdon.
Mr. Vaughan-Davies.
Mr. William Redmond.
Mr. Harry Foster.
Mr. Graham Murray.

Mr. *Charles Hellyer* and Mr. *Harrison Mudd* were examined.

[Adjourned till To-morrow, at Twelve o'clock.]

Friday, 29th June 1900.

MEMBERS PRESENT:

Mr. GRAHAM MURRAY in the Chair.

General Goldsworthy.
Sir Cameron Gull.
Mr. Doughty.
Mr. Seale-Hayne.
Captain Sinclair.

Mr. Harry Foster.
Mr. Rothschild.
Mr. Vaughan-Davies.
Sir Brampton Gurdon.
Mr. William Redmond.

In the absence of the Chairman Mr. GRAHAM MURRAY was called to the Chair.

Mr. John Love McNaughton, Mr. James Cowie, Mr. George Webster, Mr. James Pitcher, and Mr. J. R. Johnson were examined.

[Adjourned till Tuesday next, at Twelve o'clock]

Tuesday, 3rd July 1900.

MEMBERS PRESENT:

Mr. GRAHAM MURRAY in the Chair.

Mr. Rothschild.
General Goldsworthy.
Captain Sinclair.
Mr. Harry Foster.
Sir Cameron Gull.

Mr. Seale-Hayne.
Sir Brampton Gurdon.
Captain Pretymann.
Mr. Vaughan-Davies.

In the absence of the Chairman Mr. GRAHAM MURRAY was called to the Chair.

Mr. William Glen and Mr. Peter Sim were examined.

The Committee deliberated, and decided unanimously to hear evidence on Thursday next from a representative of the Marine Biological Association.

Motion made and Question proposed, That Mr. Shaw Lefevre be invited to give evidence before the Committee—(Mr. Harry Foster).—Question put.—The Committee divided:

Ayes, 4.

Mr. Harry Foster.
Sir Cameron Gull.
Sir Brampton Gurdon.
Captain Sinclair.

Noes, 4.

Mr. Vaughan-Davies.
General Goldsworthy.
Mr. Seale-Hayne.
Mr. Rothschild.

Whereupon the Chairman declared himself with the Noes.

[Adjourned till Thursday next, at Twelve o'clock]

Thursday, 5th July 1900.

MEMBERS PRESENT:

Mr. GRAHAM MURRAY in the Chair.

Mr. Rothschild.
Sir Cameron Gull.
General Goldsworthy.
Sir Brampton Gurdon.

Mr. Seale-Hayne.
Mr. Pretymann.
Captain Sinclair.
Mr. Vaughan-Davies.

In the absence of the Chairman Mr. GRAHAM MURRAY was called to the Chair.

Mr. Walter Garstang was examined.

Motion made and Question, That the Committee do hear the evidence of Mr. James Johnston, Fish Merchant, Montrose—(Captain Sinclair)—put, and *negatived*.

[Adjourned till Tuesday next, at Twelve o'clock]

Tuesday, 10th July 1900.

MEMBERS PRESENT:

Mr. RITCHIE in the Chair.

Mr. Graham Murray.
Mr. Harry Foster.
Sir Brampton Gurdon.
General Goldsworthy.
Mr. Seale-Hayne.

Mr. Rothschild.
Mr. Pretymann.
Sir Cameron Gull.
Captain Sinclair.

The Committee deliberated.

[Adjourned till Thursday, 19th, at Twelve o'clock.

Thursday, 19th July 1900.

MEMBERS PRESENT:

Mr. GRAHAM MURRAY in the Chair.

General Goldsworthy.
Mr. Vaughan-Davies.
Mr. Rothschild.
Sir Cameron Gull.

Sir Brampton Gurdon.
Mr. Pretymann.
Captain Sinclair.
Mr. Harry Foster.

In the absence of the Chairman Mr. GRAHAM MURRAY was called to the Chair.

DRAFT SPECIAL REPORT proposed by the Chairman, read the first time, as follows:—

" 1. Your Committee have held eight sittings for the purpose of taking evidence. They did not consider it necessary to re-duplicate the evidence laid before the Committee of 1893. They thought it expedient to examine certain scientific experts with the view of bringing the statistics up to date, and to allow an expression of opinion from witnesses both of that class and of the class of local fishermen as to the effect of the provisions of this Bill.

" 2. Your Committee think that it is proved beyond the possibility of any dispute that there is a very great and serious diminution of the fish supply. Of late years the total quantity of fish caught has remained nearly stationary. This fact, when taken along with the enormously increased catching power and the vastly larger area of sea subjected to fishing operations, seems to put it beyond doubt that the ancient fishing grounds are much depleted. The whole of the local evidence, differing in many other respects, is unanimous as to this point. It seems clear that the evil is a growing one, and that in default of a remedy the consequences to the fishing industry and the fish supply will at no very distant future be disastrous.

" 3. Your Committee are of opinion that one of the causes of this diminution of supply is undoubtedly the destruction of immature fish. It is quite certain that the destruction of fish below a certain size is an evil. Vast quantities of such fish are destroyed as unfit for any market; and further, many of the smaller fish are only used as a make-weight for the sale of occasional larger specimens packed in the same boxes, being in themselves almost unmarketable.

" 4. Remedies against the destruction of such fish must be either direct or indirect. Direct remedies lie in either the prohibition of the taking and killing of such fish, or in the prohibition of fishing within certain areas where small fish more particularly abound. The first of these direct remedies your Committee are of opinion is practically impossible without prohibiting trawling altogether. The small fish in many cases are killed whenever the trawl has been for a considerable time in the water, and it is not too much to say that small fish that are caught by means of deep-sea trawling could not be returned to the sea alive. As regards the second of these direct remedies, your Committee think that it is established that there are certain well-known areas in the North Sea where undersized small and young fish undoubtedly do congregate, and to prevent fishing in such areas would be obviously of great value. But such a result could not be obtained without joint international action among the Powers bordering the North Sea. The difficulties of such international action, and the policing necessarily ancillary thereto, are obvious. They are, however, outside the scope of this Bill, and your Committee do not think it is necessary for them to say anything more on that subject.

" 5. The other class of remedy is the indirect remedy, and it is in furtherance of such an indirect remedy that this Bill is framed. The idea upon which the Bill is based is that by prohibiting the sale of fish beneath a certain size limit it would make it not worth while for the

fishermen to resort to places where these small fish abound. On the point of whether that object would be obtained if the Bill were made law, the evidence laid before your Committee has been conflicting. In favour of the Bill, your Committee think that the view of the large trawlers generally who come from the ports of Hull and Grimsby is that the Bill would be effectual, and that if the London market, which, according to them, is really the only effective market open for very small fish, were closed, the result would be that it would not be worth while for trawlers to go to the banks of the North Sea, already referred to. On the other hand, against the Bill there is a general consensus of opinion on the part of the smaller trawlers and the inshore net fishermen such as shrimpers, and so forth. They consider that if the size limit of the Bill were imposed their trade would be unnecessarily interfered with, and they express doubt as to the Bill being effective for the purpose for which it is designed. Line fishermen, as a body, preserve what may be termed as an indifferent but favourable attitude. They do not feel, and this seems to be true of all the Scotch line fishermen, that the Bill would in any way hamper or interfere with them, because it is a fact that very few undersized fish are taken by the line, and that for such as are taken in that manner there is really no market. They are not clear whether the Bill would effect the object desired, but inasmuch as it would not interfere with them they are willing that anything should be tried which possibly might do good and could not in their view do harm.

" 6. This question is further complicated by that of the size limit. Taking plaice alone, as to which fish the necessity for some remedial action in the North Sea seems the most pressing, while some of the scientific witnesses were of opinion that the size specified in the Bill would be sufficient to effect its object, another gentleman representing the Marine Biological Association was of opinion that if the size remained as in the Bill the Bill would be of no practical use, and that it would not be effective if the size limit was increased to 13 inches. As regards other fishes your Committee think that evidence was brought forward sufficient to show that in inland waters there are several varieties of the sole tribe that do not grow to large sizes, and that to take the sizes in the Bill regards sole would be, in certain districts, to prohibit all practical fishing.

" 7. In these circumstances your Committee feel that it would not be expedient to pass the Bill into Law without further inquiry and investigation, and they therefore have determined to report the Bill without Amendment to the House.

" 8. As regards investigation, your Committee feel very strongly that the materials for forming a just conclusion upon such subjects are not what they might be. As regards scientific work a Conference of the Powers is at present sitting in Sweden. The result of that conference is not yet available. It is premature to discuss in the present state of knowledge the result of its labours. The Scotch Fishery Board have accumulated some valuable statistics, but their investigations have been hampered by inadequate means. They have not much money at their disposal, and the vessel which they have for the purpose of scientific investigation is undoubtedly too small. Yet, such as they are, they are the only investigations made by a Government Department in the kingdom devoted to that subject only. It is true that a contribution of 1,000*l.* is made to the Marine Biological Association, and the Board of Trade possess the services of a very competent scientific expert. But that gentleman is fully occupied with administrative duties, and the Board have never been given the resources or the staff requisite for scientific investigation, or for the essential work of inquiring as to the efforts of other countries, and tabulating the results obtained by such inquiries. The consequence has been that your Committee were particularly struck by the fact that not only is there much dubiety as to the precise position of foreign law, but that upon the question of what has been practically achieved in America certain information is not easily available.

" 9. Your Committee feel that the subject of the diminution of the fish supply is a very pressing one, and that the situation is going from bad to worse. In their view no effort ought to be spared (first) to arrange for international treatment of the subject generally, and especially for regulation of the North Sea area; and (second) to provide for the adequate equipment of the Government Department in charge of the subject, so that they may effectively pursue scientific investigations and ascertain with sufficiency and precision what has been done either in the way of scientific research or in the matter of practical legislation by other inquirers and by other countries."

Question, That the Draft Special Report proposed by the Chairman be read a second time paragraph by paragraph,—put, and *agreed to*.

Paragraph 1, amended, and *agreed to*.

Paragraph 2:

Amendment proposed, in line 2, to leave out the word "very"—(Captain *Sinclair*).—Question put, That the word "very" stand part of the paragraph.—The Committee divided:

Ayes, 4.

Mr. Vaughan-Davies.
General Goldsworthy.
Mr. Pretyma.
Mr. Rothschild.

Noes, 4.

Mr. Harry Foster.
Sir Cameron Gull.
Sir Brampton Gurdon.
Captain Sinclair.

Whereupon the Chairman declared himself with the Ayes.

Another Amendment proposed, in line 2, after the word "supply," to insert the words, "of certain kinds of flat fish particularly in the North Sea"—(Captain *Sinclair*).—Question proposed, That those words be there inserted.

Amendment

Amendment proposed to the proposed Amendment, to leave out the word "particularly"—(Sir Cameron Gull).—Question put, That the word "particularly" stand part of the proposed Amendment.—The Committee divided:

Ayes, 5.

Mr. Vaughan-Davies.
General Goldsworthy.
Sir Brampton Gurdon.
Mr. Pretymán.
Mr. Rothschild.

Noes, 3.

Mr. Harry Foster.
Sir Cameron Gull.
Captain Sinclair.

Question, That those words be there inserted,—put, and *agreed to*.

Another Amendment proposed, in line 2, after the word "Sea," at the end of the last Amendment to insert the words "but there is no evidence of any serious diminution of flat fish in other areas"—Question put, That those words be there inserted.—The Committee divided:

Ayes, 3.

Mr. Harry Foster.
Sir Cameron Gull.
Captain Sinclair.

Noes, 5.

Mr. Vaughan-Davies.
General Goldsworthy.
Sir Brampton Gurdon.
Mr. Pretymán.
Mr. Rothschild.

Another Amendment proposed, in line 5, after the word "grounds," to insert the words "of the North Sea"—(Sir Cameron Gull).—Question put, That those words be there inserted.—The Committee divided:

Ayes, 4.

Mr. Harry Foster.
Sir Cameron Gull.
Sir Brampton Gurdon.
Captain Sinclair.

Noes, 4.

Mr. Vaughan-Davies.
General Goldsworthy.
Mr. Pretymán.
Mr. Rothschild.

Whereupon the Chairman declared himself with the Noes.

Paragraph, as amended, *agreed to*.

Paragraph 3:

An Amendment made.

Paragraph, as amended, *agreed to*.

Paragraph 4:

Amendment proposed, in lines 4 and 5, to leave out the words "without prohibiting trawling altogether"—(Captain Sinclair).—Question, That the words proposed to be left out stand part of the paragraph,—put, and *agreed to*.

Amendments made.

Paragraph, as amended, *agreed to*.

Paragraph 5:

Amendment proposed, in line 6, to leave out the words "your Committee think the view of"—(Mr. Pretymán).—Question, That the words proposed to be left out stand part of the paragraph,—put, and *negatived*.

Another Amendment proposed, in line 7, to leave out the word "is," in order to insert the words "have expressed their view"—(Mr. Pretymán)—instead thereof.—Question, That the word proposed to be left out stand part of the paragraph,—put, and *negatived*.

Proposed words inserted.

Another Amendment proposed, in lines 11 and 12, to leave out from the words "against the Bill" to the words "part of," both inclusive, in order to insert the words "the fishing trade of Yarmouth, Lowestoft, and Brixham contend that the Bill would not prevent the destruction of small fish, while it would necessarily introduce harassing conditions. In this opinion"—(Mr. Harry Foster)—instead thereof.—Question, That the words proposed to be left out stand part of the paragraph,—put, and *negatived*.

Proposed words inserted.

Another Amendment proposed, in line 12, to leave out from the words "they consider" to the word "designed," in line 16, both inclusive—(Chairman).—Question, that the words proposed to be left out stand part of the paragraph,—put, and *negatived*.

Another Amendment proposed, in line 15, to leave out the word "favourable," in order to insert the words "not unfavourable"—(Mr. Pretymán)—instead thereof.—Question, That the word "favourable" stand part of the paragraph,—put, and *negatived*.

Proposed words inserted.

Other amendments made.

Paragraph, as amended, *agreed to*.

Paragraph 6 :

Amendment proposed, in lines 3 and 4, to leave out from the words "the size" to the words "gentleman," in order to insert the words "the Bill as it stood would do something to effect the object, although they all desired to see the size limit extended. An important witness"—(*Mr. Pretymann*)—instead thereof.—Question, That the words proposed to be left out stand part of the paragraph,—put, and *negatived*.

Proposed words inserted.

Other amendments made.

Paragraph, as amended, *agreed to*.

Paragraph 7 :

Amendment proposed, at the beginning of the paragraph to insert the words:—"The evidence laid before your Committee has shown that the present Bill would be absolutely ineffective. The sizes mentioned in the Bill are too small to prevent fishermen resorting to places where small fish abound, and therefore the destruction of fish would go on as before. But while the Bill would do no good in the direction desired, it would cause considerable friction and entail the loss of much marketable fish. The fact that any serious destruction of small flat fish is only caused by trawlers during certain months in the year and only, so far as the evidence at present goes, in the North Sea, would, in the opinion of your Committee, render it necessary that any legislation that might be introduced in the future should be limited to certain periods of the year and to the fish landed by trawlers from the North Sea fishing grounds"—(*Sir Cameron Gull*).—Question, That the words be there inserted.—The Committee divided :

Ayes, 3.

Mr. Harry Foster.
Sir Cameron Gull.
Captain Sinclair.

Noes, 5.

Mr. Vaughan-Davies.
General Goldsworthy.
Sir Brampton Gurdon.
Mr. Pretymann.
Mr. Rothschild.

Paragraph *agreed to*.

Paragraph 8 :

Amendment proposed, in line 3, to leave out the words "is at present sitting in Sweden" in order to insert the words "was held last year at Stockholm"—(*Captain Sinclair*)—instead thereof.—Question, That the words proposed to be left out stand part of the paragraph,—put, and *negatived*.

Proposed words inserted.

Other Amendments made.

Another Amendment proposed, in line 15, after the word "law," to insert the words "In regard to restrictive legislation affecting fisheries, and its result"—(*Mr. Harry Foster*).—Question, That those words be there inserted,—put, and *agreed to*.

Another Amendment made.

Paragraph, as amended, *agreed to*.

Paragraph 9 :

Amendment proposed, to add at the end of the paragraph the words "in the opinion of your Committee it is urgently necessary that a Commission or Committee should be forthwith appointed to consider the whole question of sea fisheries"—(*Sir Cameron Gull*).—Question put, That those words be there added.—The Committee divided :

Ayes, 4.

Mr. Vaughan-Davies.
Mr. Harry Foster.
Sir Cameron Gull.
Captain Sinclair.

Noes, 4.

General Goldsworthy.
Sir Brampton Gurdon.
Mr. Pretymann.
Mr. Rothschild.

Whereupon the Chairman declared himself with the Noes.

Another Amendment proposed, at the end of the paragraph, to add the words "with the view of determining whether any and if so what legislation may be desirable to effect the objects of

of the Bill"—(Mr. *Pretyman*).—Question put, That those words be there added.—The Committee divided:

Ayes, 5.
Mr. Vaughan-Davies.
General Goldsworthy.
Sir Brampton Gurdon.
Mr. *Pretyman*.
Mr. Rothschild.

Noes, 3.
Mr. Harry Foster.
Sir Cameron Gull.
Captain Sinclair.

Paragraph, as amended, *agreed to*.

Question, That this Report, as amended, be the Special Report of the Committee to the House—put, and *agreed to*.

Ordered to Report, together with Minutes of Evidence and Appendix.

Ordered to Report the Bill, without Amendment, to the House.

EXPENSES OF WITNESSES.

NAME OF WITNESS.	Profession or Condition.	From whence Summoned.	Number of Days Absent from Home, under Orders of Committee.	Allowance during Absence from Home.	Expenses of Journey to London and back.	TOTAL Expense allowed to Witness.
				£. s. d.	£. s. d.	£. s. d.
William Thomas Goodson.	Fisherman - - -	King's Lynn - -	2	1 10 -	- 18 1	2 11
Matthew Chase - -	Fisherman - - -	King's Lynn - -	2	1 10 -	- 18 1	2 11
Sir Thomas Brady - -	Ex-Inspector of Irish Fisheries.	Dublin - - -	3	3 3 -	5 3 -	8 6
Robert Kennar - -	Fisherman - - -	Brixham - - -	2	1 10 -	1 18 1	3 9
Dr. Wemyss Fulton -	Fishery Board for Scotland.	Banchory - - -	4	4 4 -	7 8 9	11 12
James Sydenham - -	Fisherman and Smack Owner.	Brixham - - -	3	2 5 -	1 18 1	4 4
Charles Hellyer, J.P. -	Fish Salesman - - -	Hull - - -	4	4 4 -	2 14 10	6 18
Harrison Mudd - -	Fish Merchant - - -	Grimsby - - -	4	3 - -	2 7 4	5 11
John S. McNaughton -	Solicitor - - -	Buckie - - -	4	8 8 -	7 14 5	16 11
James Cowie - -	Fisherman - - -	Buckie - - -	4	3 - -	4 12 6	7 18
George Webster - -	Fisherman - - -	Great Yarmouth -	2	1 10 -	1 2 8	2 12
James Pitcher - -	Fisherman - - -	Great Yarmouth -	2	1 10 -	1 2 8	2 12
J. R. Johnson - -	Fisherman - - -	Great Yarmouth -	2	1 10 -	1 2 8	2 12
W. P. Glen - -	Fish Merchant - - -	St. Andrews - -	3	2 5 -	3 13 5	6 13
Peter Sim - -	Fish Merchant - - -	Broughty Ferry -	3	2 5 -	3 13 5	6 13
Walter Garstang - -	Naturalist on Staff of Marine Biological Society.	Plymouth - -	2	2 2 -	3 12 4	5 18
				TOTAL	- - £.	84 14

SPECIAL REPORT
AND

REPORT

FROM THE

SELECT COMMITTEE

ON THE

SEA FISHERIES BILL;

WITH THE

PROCEEDINGS OF THE COMMITTEE.

*Ordered, by The House of Commons, to be Printed,
19 July 1900.*

[*Price 2d.*]

287.

Under 2 oz.

REPORT

FROM THE

STANDING COMMITTEE

ON

LAW, AND COURTS OF JUSTICE, AND
LEGAL PROCEDURE,

ON THE

SUNDAY CLOSING (WALES) ACT (1881)
AMENDMENT BILL;

WITH THE

PROCEEDINGS OF THE COMMITTEE.

Ordered, by The House of Commons, to be Printed,
10 July 1900.

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1900.

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PROCEEDINGS OF THE COMMITTEE	- - - - -	p. 6

1900.

STANDING COMMITTEE ON LAW, AND COURTS OF JUSTICE, AND LEGAL PROCEDURE.

[*Friday, 23rd February, 1900*]:—Mr. Halsey reported from the Committee of Selection; That they had nominated the following Members to serve on the Standing Committee for the consideration of all Bills relating to Law, and Courts of Justice, and Legal Procedure, which may, by Order of the House, be committed to such Standing Committee:—

Committee nominated of—

Mr. Asquith.
Mr. Atherley-Jones.
Mr. Atkinson.
Mr. Barlow.
Mr. Bartley.
Mr. Beach.
Mr. Butcher.
Mr. Carew.
Mr. Coghill.¹
Dr. Commins.
Mr. Radcliffe Cooke.
Viscount Cranborne.
Mr. Cripps.
Mr. T. B. Curran.
Mr. Bromley-Davenport.
Sir Charles Dilke.
Mr. Dillon.
Mr. Tatton Egerton.
Mr. Arthur Elliot.
Mr. Samuel Evans.
Sir George Fardell.
Mr. Flynn.
Mr. Lewis Fry.
Mr. Sydney Gedge.
Sir Frederick Godson.
Mr. Goulding.
Mr. Graham.
Mr. H. D. Greene.
Mr. Haldane.
Mr. Harwood.
Mr. T. M. Healy.
Mr. Helder.
Mr. Hemphill.
Mr. Staveley Hill.

Mr. Hobhouse.
Sir John Jenkins.
Mr. Johnson-Ferguson.
Mr. Lees Knowles.
Mr. W. F. Lawrence.
Sir Joseph Leese.
Mr. Loder.
Mr. A. K. Loyd.
Mr. MacNeill.
Sir Henry Meysey-Thompson.
Colonel Milward.
Mr. Monk.
Mr. Lloyd Morgan.
Mr. Mount.
Mr. Graham Murray.
Captain Norton.
Mr. Pickersgill.
Sir Francis Powell.
Colonel Pryce-Jones.
Sir Robert Reid.
Mr. Rentoul.
Secretary Sir Matthew White Ridley.
Mr. Bryn Roberts.
Sir Andrew Scoble.
Mr. Parker Smith.
Mr. Solicitor General.
Mr. Ernest Spencer.
Mr. Stevenson.
Mr. Ure.
Sir Howard Vincent.
Mr. Robert Wallace (*Perth*).
Mr. Warr.
Sir James Woodhouse.
Mr. Woods.

[*Tuesday, 27th March 1900*]:—*Ordered*, That all Standing Committees have leave to print, and circulate with the Votes, the Minutes of their Proceedings and any amended Clauses of Bills committed to them.

[*Wednesday, 9th May 1900*]:—Sunday-Closing (Wales) Act (1881) Amendment Bill,—read a second time, and committed to the Standing Committee on Law, &c.

[*Tuesday, 19th June 1900*]:—Selection (Standing Committees),—Mr. Wodehouse reported from the Committee of Selection; That they had added to the Standing Committee on Law, and Courts of Justice, and Legal Procedure the following Fifteen Members in respect of the Sunday Closing (Wales) Act (1881) Amendment Bill:—Mr. Arnold, Mr. Bond, Mr. Brigg, Mr. Jesse Collings, Sir John Dillwyn-Llewellyn, Mr. Dewar, Mr. Howell, Mr. Hozier, Mr. Humphreys-Owen, Mr. William Jones, General Laurie, Mr. Lloyd-George, Mr. Maclean, Mr. Herbert Roberts, and Mr. Alfred Thomas.

[*Monday, 25th June 1900*]:—Standing Committees (Chairmen's Panel),—Mr. Arthur O'Connor reported from the Chairmen's Panel; That they had appointed Sir James Fergusson to act as Chairman of the Standing Committee for the consideration of Bills relating to Law, and Courts of Justice, and Legal Procedure in respect of the Executors (Scotland) Bill, the County and Borough Franchise Assimilation (London) Bill, the Sunday Closing (Wales) Act (1881) Amendment Bill, and the Veterinary Surgeons Amendment Bill, and that they had appointed Lord Edmund Fitzmaurice to act as Chairman of the Standing Committee for the consideration of Bills relating to Law, and Courts of Justice, and Legal Procedure in respect of the Elementary Education Bill.

Report to lie upon the Table.

[*Tuesday, 26th June 1900*]:—Selection (Standing Committees),—Mr. Halsey reported from the Committee of Selection; That they had discharged the following Member from the Standing Committee on Law, and Courts of Justice, and Legal Procedure:—Mr. Howell (added in respect of the Sunday Closing (Wales) Act (1881) Amendment Bill); and had appointed in substitution Sir Powlett Milbank.

[*Friday, 29th June 1900*]:—Mr. Halsey reported from the Committee; That they had discharged the following Member from the Standing Committee on Law, and Courts of Justice, and Legal Procedure:—Mr. Brigg (added in respect of the Sunday Closing (Wales) Act (1881) Amendment Bill); and had appointed in substitution: Sir Angus Holden.

R E P O R T.

THE STANDING COMMITTEE on LAW, AND COURTS OF JUSTICE, AND LEGAL PROCEDURE, to whom the SUNDAY CLOSING (WALES) ACT (1881) AMENDMENT BILL was referred ;—HAVE gone through the Bill and made Amendments thereunto.

10 *July* 1900.

STANDING COMMITTEE ON LAW, AND COURTS OF JUSTICE, AND LEGAL PROCEDURE.

Tuesday 10th July 1900.

MEMBERS PRESENT:

Sir JAMES FERGUSSON in the Chair.

Mr. Jesse Collings.	Mr. Monk.
Mr. T. B. Curran.	Mr. Lloyd Morgan.
Mr. Dillon.	Mr. Mount.
Sir John Dillwyn-Llewellyn.	Captain Norton.
Mr. Sydney Gedge.	Mr. Pickersgill.
Mr. H. D. Greene.	Colonel Pryce-Jones.
Mr. Helder.	Mr. Herbert Roberts.
Mr. Hemphill.	Mr. Stevenson.
Mr. Hobhouse.	Mr. Alfred Thomas.
Mr. William Jones.	Mr. Robert Wallace (<i>Perth</i>)
Mr. W. F. Lawrence.	Mr. Warr.
Mr. Maclean.	Mr. Woods.

SUNDAY CLOSING (WALES) ACT (1881) AMENDMENT BILL.

Clauses 1 and 2, *agreed to*.

Clause 3.

Amendment proposed, in page 1, lines 23 and 24, to leave out the words "as herein defined"—(Mr. H. D. Greene).—Question, That the words proposed to be left out stand part of the Clause,—put, and *negatived*.

Clause, as amended, *agreed to*.

Clause 4.

Amendment proposed, in page 1, line 27, to leave out the words "and sweets"—(Mr. H. D. Greene).—Question, That the words proposed to be left out stand part of the Clause,—put, and *negatived*.

Another Amendment proposed, in page 1, line 27, after the word "perry," to insert the words "and tobacco in any form"—(Mr. Gedge).—Question, That those words be there inserted,—put, and *negatived*.

Clause, as amended, *agreed to*.

Clause 5.

Amendment proposed, in page 3, line 12, to leave out the words "principal Act," in order to insert the words "Licensing Act of 1872"—(Mr. Gedge).—Question, That the words proposed to be left out stand part of the Clause,—put, and *negatived*.

Question, That the proposed words be there inserted,—put, and *agreed to*.

Clause, as amended, *agreed to*.

Clauses 6—23, *agreed to*.

Ordered, To Report the Bill, as amended, to the House.

REPORT
FROM THE

STANDING COMMITTEE

ON

LAW, AND COURTS OF JUSTICE, AND LEGAL
PROCEDURE,

ON THE

SUNDAY CLOSING (WALES) ACT
(1881) AMENDMENT BILL;

WITH THE

PROCEEDINGS OF THE COMMITTEE

*Ordered, by The House of Commons, to be Printed,
10 July 1900.*

[Price 1d.]

R E P O R T

FROM THE

S T A N D I N G C O M M I T T E E

ON

LAW, AND COURTS OF JUSTICE, AND
LEGAL PROCEDURE,

ON THE

TOWN COUNCILS (SCOTLAND) BILL;

WITH THE

P R O C E E D I N G S O F T H E C O M M I T T E E

*Ordered, by The House of Commons, to be Printed,
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1900.

REPORT - - - - - p. 5

PROCEEDINGS OF THE COMMITTEE - - - - - p. 6

1900.

STANDING COMMITTEE ON LAW, AND COURTS OF JUSTICE, AND LEGAL PROCEDURE.

[*Friday, 23rd February 1900*]:—Mr. Halsey reported from the Committee of Selection: That they had nominated the following Members to serve on the Standing Committee for the consideration of all Bills relating to Law, and Courts of Justice, and Legal Procedure, which may, by Order of the House, be committed to such Standing Committee:—

Committee nominated of—

Advocate, The Lord.	Mr. Staveley Hill.
Mr. Asquith.	Mr. Hobhouse.
Mr. Atherley-Jones.	Sir John Jenkins.
Mr. Atkinson.	Mr. Johnson-Ferguson.
Mr. Barlow.	Mr. Lees Knowles.
Mr. Bartley.	Mr. W. F. Lawrence.
Mr. Beach.	Sir Joseph Leese.
Mr. Butcher.	Mr. Loder.
Mr. Carew.	Mr. A. K. Loyd.
Mr. Coghill.	Mr. MacNeill.
Dr. Commins.	Sir Henry Meysey-Thompson.
Mr. Radcliffe Cooke.	Colonel Milward.
Viscount Cranborne.	Mr. Monk.
Mr. Cripps.	Mr. Lloyd Morgan.
Mr. T. B. Curran.	Mr. Mount.
Mr. Bromley-Davenport.	Captain Norton.
Sir Charles Dilke.	Mr. Pickersgill.
Mr. Dillon.	Sir Francis Powell.
Mr. Tatton Egerton.	Colonel Pryce-Jones.
Mr. Arthur Elliot.	Sir Robert Reid.
Mr. Samuel Evans.	Mr. Rentoul.
Sir George Fardell.	Secretary Sir Matthew White Ridley.
Mr. Flynn.	Mr. Bryn Roberts.
Mr. Lewis Fry.	Sir Andrew Scoble.
Mr. Sydney Gedge.	Mr. Parker Smith.
Sir Frederick Godson.	Mr. Solicitor General.
Mr. Goulding.	Mr. Ernest Spencer.
Mr. Graham.	Mr. Stevenson.
Mr. H. D. Greene.	Mr. Ure.
Mr. Haldane.	Sir Howard Vincent.
Mr. Harwood.	Mr. Robert Wallace (<i>Perth</i>).
Mr. T. M. Healy.	Mr. Warr.
Mr. Helder.	Sir James Woodhouse.
Mr. Hemphill.	Mr. Woods.

[*Tuesday, 27th March 1900*]:—*Ordered*, That all Standing Committees have leave to print, and circulate with the Votes, the Minutes of their Proceedings, and any amended Clauses of Bills committed to them.

[*Monday, 2nd April 1900*]:—Town Councils (Scotland) Bill,—read a second time, and committed to the Standing Committee on Law, &c.

[*Tuesday, 1st May 1900*]:—Mr. Halsey reported from the Committee of Selection; That he had added to the Standing Committee on Law, and Courts of Justice, and Legal Procedure the following Fifteen Members in respect of the Town Councils (Scotland) Bill:—Mr. Asher, Mr. Charles Cameron, Dr. Clark, Mr. Crombie, Mr. Alexander Cross, Colonel Denny, Mr. Dewar, Mr. Douglas, Mr. Gordon, Sir Herbert Maxwell, Sir Lewis M'IVER, Mr. Orr-Ewing, Mr. Thomas Shaw, Sir Walter Thorburn, and Mr. Wylie.

[*Tuesday, 15th May 1900*]:—Mr. Halsey reported from the Committee of Selection; That he had discharged the following Member from the Standing Committee on Law, and Courts of Justice, and Legal Procedure: Mr. Crombie; and had appointed in substitution: Mr. Edmund Robertson.

[*Friday, 22nd June 1900.*]:—Standing Committee on Law, &c.: *Ordered*, That the Standing Committee on Law, and Courts of Justice, and Legal Procedure, have leave to sit this day during the Sitting of the House.—(Mr. Arthur O'Connor.)

R E P O R T.

THE STANDING COMMITTEE on LAW, AND COURTS OF JUSTICE, AND LEGAL
PROCEDURE, to whom the TOWN COUNCILS (SCOTLAND) BILL was referred ; ---
HAVE gone through the Bill, and made Amendments thereunto.

22 *June* 1900.

STANDING COMMITTEE ON LAW, AND COURTS OF JUSTICE, AND LEGAL PROCEDURE.

Friday, 22nd June 1900.

MEMBERS PRESENT:

Mr. ARTHUR O'CONNOR in the Chair.

The Lord Advocate.
Mr. Asher.
Mr. Beach.
Sir Charles Cameron.
Mr. Carew.
Mr. Coghill.
Mr. Radcliffe Cooke.
Colonel Denny.
Mr. Douglas.
Mr. Arthur Elliot.
Mr. Samuel Evans.
Sir George Fardell.
Sir Frederick Godson.
Mr. Gordon.
Mr. Goulding.
Mr. Graham.
Mr. H. D. Greene.
Mr. Helder.

Mr. Staveley Hill.
Mr. Hobhouse.
Sir John Jenkins.
Mr. Johnson-Ferguson.
Mr. W. F. Lawrence.
Mr. Loder.
Sir Lewis M'Iver.
Colonel Milward.
Mr. Monk.
Mr. Lloyd Morgan.
Sir Francis Powell.
Colonel Pryce-Jones.
Sir Robert Reid.
Mr. Edmund Robertson.
Sir Andrew Scoble.
Mr. Thomas Shaw.
Mr. Parker Smith.
Sir Walter Thorburn.

TOWN COUNCILS (SCOTLAND) BILL.

Clause 84—

Amendment proposed, in page 23, line 15, after the word "council," to insert the words "the remainder of the sitting"—(Mr. Asher).—Question, That those words be there inserted,—*put*, and *agreed to*.

Another Amendment proposed, to leave out all the words after the word "meeting," in line 17 to the end of the Clause—(Mr. Asher).—Question, That the words proposed to be left out stand part of the Clause,—*put*, and *negatived*.

Clause, as amended, *agreed to*.

Clause 85—

Amendment proposed, in page 23, line 23, to leave out the words "royal burghs," in order to insert the words "any burgh where the office of town clerk is regulated by local Act, the tenure of office shall be in accordance with the provisions of such Act, and in the case of royal burghs and parliamentary burghs where the same is not so regulated"—(Mr. Asher)—instead thereof.—Question, That the words proposed to be left out stand part of the Clause,—*put*, and *negatived*.

Question, That those words be there inserted,—*put*, and *agreed to*.

Another Amendment made.

Another Amendment proposed, in page 23, line 27, to leave out the words, "such as may be fixed by" in order to insert the words "during the pleasure of"—(Mr. Asher)—instead thereof.—Question, That the words proposed to be left out stand part of the Clause,—*put*, and *negatived*.

Question, That those words be there inserted,—*put*, and *agreed to*.

Another Amendment proposed, in page 23, line 27, after the word "Council," to insert the words: "Provided that the town clerk of any such burgh shall not be removed from office except by a vote of not less than two-thirds of those members of the Town Council who shall be present at a

meeting of the Town Council specially called for the purpose by a circular addressed to the members of the Town Council not less than seven nor more than fourteen days before such meeting"—(Mr. Asher).—Question, That those words be there inserted,—put, and *agreed to*.

Another Amendment proposed, at the end of the Clause, to add the words: "In police burghs the existing clerk to the commissioners shall become the town clerk, and shall hold office on his existing tenure until a town clerk is appointed under this Act"—(Mr. Asher).—Question, That those words be there added,—put, and *agreed to*.

Clause, as amended, *agreed to*.

Clause 86, *agreed to*.

Clause 87, *agreed to*.

Clause 88—

An Amendment made.

Another Amendment proposed, at the end of the Clause, to add the words "and in the event of a contravention of this provision such clerk shall be thenceforth disqualified from holding any office under the town council and from being a councillor"—(The Lord Advocate).—Question, That those words be there added,—put, and *agreed to*.

Another Amendment proposed, at the end of the last Amendment, to add the words "but the disqualification may be removed on the recommendation of the town council by the Secretary for Scotland"—(Mr. Asher).—Question, That those words be there added,—put, and *agreed to*.

Clause, as amended, *agreed to*.

Clause 89—

Amendments made.

Another Amendment proposed, in page 24, line 19, at the end of the Clause, to add the words: "For the purposes of this section the clerk to the commissioners of a police burgh shall be deemed to be the holder of the office of town clerk in such burgh"—(The Lord Advocate).—Question, That those words be there added,—put, and *agreed to*.

Clause, as amended, *agreed to*.

Clause 90, amended, and *agreed to*.

Clause 91—

Amendment proposed, in page 24, line 35, to leave out from the word "whose" to the word "council," in line 36, in order to insert the words "to act during their pleasure"—(The Lord Advocate)—instead thereof.—Question, That the words proposed to be left out stand part of the Clause,—put, and *negatived*.

Question, That those words be there inserted,—put, and *agreed to*.

Other Amendments made.

Another Amendment proposed, in page 25, line 6, at the end of the Clause, to add the words: "The town council may confer the title of chamberlain, or such other title as they may resolve, upon the said treasurer"—(Mr. Asher).—Question, That those words be there added,—put, and *agreed to*.

Clause, as amended, *agreed to*.

Clause 92—

Amendment proposed, in page 25, line 11, to leave out from the words "two" to the word "treasurer," in line 17, in order to insert the words "the treasurer or collector respectively, with the counter signature of one or more councillors as the council shall from time to time appoint. The council may from time to time make regulations for the manner of keeping or operating upon such bank accounts as they think proper. No councillor or official authorised to sign as aforesaid"—(Mr. Asher)—instead thereof.—Question, That the words proposed to be left out stand part of the Clause,—put, and *negatived*.

Question proposed, That those words be there inserted.

Amendment proposed to the proposed Amendment, in lines 4 and 5, to leave out the words "No councillor or official authorised to sign as aforesaid"—(The Lord Advocate).—Question, That the words proposed to be left out stand part of the Amendment,—put, and *negatived*.

Question, That the Amendment, as amended, be there inserted,—put, and *agreed to*.

Another Amendment proposed, to leave out the words from the word "shall," in line 17, to the end of the Clause.

Question, That the words proposed to be left out stand part of the Clause,—put, and *negatived*.

Clause, as amended, *agreed to*.

Clause 93—

Amendments made.

Clause, as amended, *agreed to*.

Clauses 94—96, *agreed to*.

Clause 97—

Amendments made.

Another Amendment proposed, at the end of the Clause to add the words “the councillor so appointed shall if the council so decide have the same right of holding office for three years, and of being held to have been the shortest time in office as a councillor as is hereinbefore conferred on the provost”—(Mr. Asher).—Question, That those words be there added,—put, and *agreed to*.

Clause, as amended, *agreed to*.

Clause 98—

Amendment proposed, in page 26, line 19, to leave out all the words after the word “treasurer” to the end of the Clause—(Mr. Asher).—Question, That the words proposed to be left out stand part of the Clause,—put, and *negatived*.

Clause, as amended, *agreed to*.

Clause 99, *agreed to*.

Clause 100—

Amendment proposed, in page 27, line 17, after the word “burgh,” to insert the words “and the action taken during the year with a view to the extinction of such liabilities by way of payment of instalments or annuities, contributions to sinking fund, or otherwise”—(The Lord Advocate).—Question, That those words be there inserted,—put, and *agreed to*.

Clause, as amended, *agreed to*.

Clause 101—

Amendments made.

Another Amendment proposed, at the end of the Clause, to add the words “and shall forthwith transmit to the Secretary for Scotland, and shall also on the demand of any person assessor or elector deliver to such person or elector with a fee not exceeding one shilling a copy of such account or abstract and report as printed.

“The Secretary for Scotland is hereby empowered to prescribe a form of abstract of the said account, and if and after he has prescribed such form and abstract of the said account shall be made and printed in the prescribed form and shall come in place of the abstract in this section mentioned and if the Secretary for Scotland so determine shall also come in place of and render unnecessary a return of the receipts and expenditure of the town council in pursuance of the Local Taxation Returns (Scotland) Act, 1881”—(The Lord Advocate).—Question proposed, That those words be there added.

Amendment proposed to the proposed Amendment, to leave out the words “with a fee not exceeding one shilling,” in line 3, in order to insert the words “on payment of such sum as the council, with the approval of the Secretary for Scotland, may fix”—(Mr. Asher).—instead thereof.—Question, That the words proposed to be left out stand part of the proposed Amendment.—put, and *negatived*.

Question, That those words be there inserted,—put, and *agreed to*.

Clause, as amended, *agreed to*.

Question, That the Amendment, as amended, be there added,—put, and *agreed to*.

Clause 102—

Amendments made.

Amendment proposed, in page 27, line 41, after the word “accounts,” to insert the words “of the burgh, and in case of dispute shall, on the application of either party, fix the fee to be paid to such auditor”—(The Lord Advocate).—Question, That those words be there inserted,—put, and *agreed to*.

Other Amendments made.

Clause, as amended, *agreed to*.

Clause 103—

Amendments made.

Another Amendment proposed, in page 28, line 7, after the word "same" to insert the words provided that the auditor shall make a special report in every case where he is of opinion that any statutory or other requirement with respect to the repayment or extinction of debt has not been observed, or that any debt is not being duly repaid"—(*The Lord Advocate*).—Question, That those words be there inserted,—put, and *agreed to*.

Another Amendment proposed, in page 28, line 8, to leave out all the words from the word "and" to the word "be," in line 14, in order to insert the words "any ratepayer or elector who shall be dissatisfied with any account made up as aforesaid, or any item therein, may complain against the same by petition to the sheriff specifying the grounds of objection, and the sheriff shall hear and determine the matter of complaint, and his decision shall be subject to"—(*Mr. Asher*)—instead hereof.—Question, That the words proposed to be left out stand part of the Clause,—put, and *negatived*.

Question, That those words be there inserted,—put, and *agreed to*.

Clause, as amended, *agreed to*,

Clause 104—

Amendments made.

Clause, as amended, *agreed to*.

Clause 105—

Amendments made.

Clause, as amended, *agreed to*.

Clauses 106—108, *agreed to*.

Clause 109, *postponed*.

Clauses 110 and 111, *agreed to*.

Clause 112—

Amendment proposed, in page 31, line 20 to leave out all the words from the words "or to" to the word "money," in line 21—(*The Lord Advocate*).—Question, That the words proposed to be left out stand part of the Clause,—put, and *negatived*.

Clause, as amended, *agreed to*.

Clause 113—

Amendment proposed, in page 32, line 12, to leave out the words from the words "or any" to the word "same," in line 14—(*Sir Charles Cameron*).—Question proposed, That the words proposed to be left out stand part of the Clause.

Amendment, by leave, *withdrawn*.

Clause *agreed to*.

Clause 114—

Amendments made.

Clause, as amended, *agreed to*.

Clause 115—

Amendment proposed, in page 32, line 37, to leave out from the beginning of the Clause to the word "that," in line 39—(*Mr. Asher*).—Question, That the words proposed to be left out stand part of the Clause,—put, and *negatived*.

Other Amendments made.

Clause, as amended, *agreed to*.

Clause 116, *disagreed to*.

Clauses 117—119, *agreed to*.

New Clause, brought up and read the first time, as follows:

"Where the boundaries of a royal burgh which does not send, or contribute as a burgh to send, a Member to Parliament, as determined under and for the purposes of the Valuation Acts, differ from the boundaries thereof for police purposes, the boundaries of the said royal burgh for police purposes shall, on and after the fifteenth day of May, one thousand nine hundred and one, be also the boundaries thereof under and for the purposes of the Valuation Acts"—(*The Lord Advocate*).—Question, That the Clause be read a second time,—put, and *agreed to*.

Clause added to the Bill.

Another New Clause, brought up and read the first time, as follows :

"Where the boundary of a burgh or of a ward is fixed for the first time or altered under the provisions of The Burgh Police (Scotland) Act, 1892, or this Act, the council shall, as soon as may be after the boundary is fixed or altered, obtain and send to the Board of Agriculture copies of the deliverance or order fixing or altering the boundary, and of any plan therein referred to, certified by the sheriff clerk or sheriff clerk depute"—(*The Lord Advocate*).—Question, That the Clause be read a second time,—put, and *agreed to*.

Clause added to the Bill.

Another New Clause, brought up and read the first time, as follows :

"Nothing in this Act contained shall supersede, prejudice, or affect the provisions of any local Act applicable to any burgh, or the forms of prosecutions and procedure in use therein under such Act, and notwithstanding anything in this Act contained it shall be in the power of the town council of any of the burghs mentioned in Schedule II. of The Burgh Police (Scotland) Act, 1892, by a resolution passed at any time after the commencement of this Act, to declare that any sections or sub-sections of this Act relating to the minutes and proceedings of council, the officers of council and accounts and corporate property specified in such resolution shall not be applicable to such burgh, and that in lieu thereof the corresponding sections or sub-sections (if any) of an Act or Acts applying to such burgh repealed by this Act, which sections or sub-sections shall be specified in the resolutions, shall, notwithstanding such repeal, remain in force or revive within the burgh. Any resolution passed under this section shall be transmitted to the Secretary for Scotland, who, if he is of opinion that it is within the powers conferred by this section, shall cause the same to be published in the 'Edinburgh Gazette,' and from and after such publication the resolution shall have effect as if it were enacted in this Act"—(*Mr. Asher*).—Question proposed, That the Clause be read a second time.

Amendment proposed, in line 6, after the word "time," to insert the words "within twelve months"—(*Sir Charles Cameron*).—Question, That those words be there inserted,—put, and *agreed to*.

Question, That the Clause, as amended, be read a second time,—put, and *agreed to*.

Clause added to the Bill.

Another New Clause, brought up and read the first time, as follows :

"With regard to the City and Royal Borough of Edinburgh, the following provision shall have effect:—

Until such a rearrangement of the wards is effected as shall make the boundary of the wards for parliamentary purposes coincide with those for municipal purposes, the operation of section 28 shall be suspended and a separate municipal register of voters shall be made up by the assessor, with regard to which the same procedure shall be followed as is by the Registration Acts appointed to be followed with regard to the preparation, printing, publication, appeal, revision, completion, authentication, and otherwise of the register of parliamentary voters for burghs, and the distinctive marks by this Act directed to be placed on the parliamentary register shall be placed upon the said municipal register"—(*Mr. Asher*).—Question, That the Clause be read a second time,—put, and *agreed to*.

Clause added to Bill.

Another New Clause, brought up and read the first time, as follows :

"The town council may at any time appoint any of their number who have held the office of provost, bailie, or magistrate to act as judges in the police courts of the burgh for such time as they continue to be members of the town council without re-election; and during such time the persons so appointed may lawfully exercise all jurisdictions, powers, and authorities now competent to or exerciseable by the magistrates of the burgh as judges of police under and in virtue of the Police Acts"—(*Mr. Parker Smith*).—Question, That the Clause be read a second time,—put, and *agreed to*.

Clause added to the Bill.

Schedules—

Schedule 1, amended, and *agreed to*.

Schedule 2, amended, and *agreed to*.

Schedule 3, amended, and *agreed to*.

Schedules 4, 5, *agreed to*.

Schedule 6, amended, and *agreed to*.

Postponed Clause 109—

Amendment proposed, in page 30, line 17, to leave out the word "Dundee" —(Mr. Asher).—

Question put, That the word "Dundee" stand part of the Clause.—The Committee divided :

Ayes, 15.

The Lord Advocate.
Mr. Coghill.
Mr. Radcliffe Cooke.
Colonel Denny.
Mr. Douglas.
Mr. Elliot.
Sir Frederick Godson.
Mr. Graham.
Mr. H. D. Greene.
Mr. Helder.
Mr. Loder.
Sir Lewis M'Iver.
Colonel Milward.
Mr. Monk.
Sir Walter Thorburn.

Noes, 5.

Mr. Asher.
Mr. Carew.
Sir John Jenkins.
Mr. Lloyd Morgan.
Mr. Edmund Robertson.

Other Amendments made.

Clause, as amended, *agreed to*.

Ordered, To Report the Bill, as amended, to the House.

REPORT
FROM THE
STANDING COMMITTEE

ON
LAW, AND COURTS OF JUSTICE, AND LEGAL
PROCEDURE,
ON THE

TOWN COUNCILS (SCOTLAND) BILL;

WITH THE
PROCEEDINGS OF THE COMMITTEE.

*Ordered, by The House of Commons, to be Printed,
22 June 1900.*

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R E P O R T

FROM THE

STANDING COMMITTEE

ON

LAW, AND COURTS OF JUSTICE, AND
LEGAL PROCEDURE,

ON THE

**VETERINARY SURGEONS AMENDMENT
BILL;**

WITH THE

PROCEEDINGS OF THE COMMITTEE.

*Ordered, by The House of Commons, to be Printed,
3 July 1900.*

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1900.

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1900.

STANDING COMMITTEE ON LAW, AND COURTS OF JUSTICE,
AND LEGAL PROCEDURE.

[Friday, 23rd February 1900]:—Mr. Halsey reported from the Committee of Selection That they had nominated the following Members to serve on the Standing Committee for the consideration of all Bills relating to Law, and Courts of Justice, and Legal Procedure which may by Order of the House, be committed to such Standing Committee:—

Committee nominated of—

Mr. Asquith.
Mr. Atherley-Jones.
Mr. Atkinson.
Mr. Barlow.
Mr. Bartley.
Mr. Beach.
Mr. Butcher.
Mr. Carew.
Mr. Coghill.
Dr. Commins.
Mr. Radcliffe Cooke.
Viscount Cranborne.
Mr. Cripps.
Mr. T. B. Curran.
Mr. Bromley-Davenport.
Sir Charles Dilke.
Mr. Dillon.
Mr. Tatton Egerton.
Mr. Arthur Elliot.
Mr. Samuel Evans.
Sir George Fardell.
Mr. Flynn.
Mr. Lewis Fry.
Mr. Sydney Gedge.
Sir Frederick Godson.
Mr. Goulding.
Mr. Graham.
Mr. H. D. Greene.
Mr. Haldane.
Mr. Harwood.
Mr. T. M. Healy.
Mr. Helder.
Mr. Hemphill.
Mr. Staveley Hill.

Mr. Hobhouse.
Sir John Jenkins.
Mr. Johnson-Ferguson.
Mr. Lees Knowles.
Mr. W. F. Lawrence.
Sir Joseph Leese.
Mr. Loder.
Mr. A. K. Loyd.
Mr. MacNeill.
Sir Henry Meysey-Thompson.
Colonel Milward.
Mr. Monk.
Mr. Lloyd Morgan.
Mr. Mount.
Mr. Graham Murray.
Captain Norton.
Mr. Pickersgill.
Sir Francis Powell.
Colonel Pryce-Jones.
Sir Robert Reid.
Mr. Rentoul.
Secretary Sir Matthew White Ridley.
Mr. Bryn Roberts.
Sir Andrew Scoble.
Mr. Parker Smith.
Mr. Solicitor General.
Mr. Ernest Spencer.
Mr. Stevenson.
Mr. Ure.
Sir Howard Vincent.
Mr. Robert Wallace (*Perth*).
Mr. Warr.
Sir James Woodhouse.
Mr. Woods.

[Tuesday, 27th March 1900]:—Ordered, That all Standing Committees have leave to print, and circulate with the Votes, the Minutes of their Proceedings and any amended Clauses of Bills committed to them.

[Monday, 21st May 1900]:—Veterinary Surgeons Amendment Bill,—read a second time, and committed to the Standing Committee on Law, &c.

[Monday, 25th June 1900]:—Standing Committees (Chairmen's Panel),—Mr. Arthur O'Connor reported from the Chairmen's Panel; That they had appointed Sir James Fergusson to act as Chairman of the Standing Committee for the consideration of Bills relating to Law, and Courts of Justice, and Legal Procedure in respect of the Executors (Scotland) Bill, the County and Borough Franchise Assimilation (London) Bill, the Sunday Closing (Wales) Act (1881) Amendment Bill, and the Veterinary Surgeons Amendment Bill, and that they had appointed Lord Edmund Fitzmaurice to act as Chairman of the Standing Committee for the consideration of Bills relating to Law, and Courts of Justice, and Legal Procedure in respect of the Elementary Education Bill.

Report to lie upon the Table.

[Tuesday 26th June 1900]:—Mr. Halsey reported from the Committee; That they had added to the Standing Committee on Law, and Courts of Justice, and Legal Procedure, the following Fifteen Members in respect of the Veterinary Surgeons Amendment Bill:—Mr. Banbury, Sir Thomas Gibson-Carmichael, Mr. Colston, Earl of Dalkeith, Mr. Vaughan-Davies, Mr. Charles Douglas, Sir Frederick FitzWygram, Sir Michael Foster, Sir John Kinloch, Mr. McCrae, Sir George Pilkington, Mr. Shaw-Stewart, Mr. Tennant, Sir John Tuke, and Colonel Welby.

R E P O R T.

THE STANDING COMMITTEE on LAW, AND COURTS OF JUSTICE, AND LEGAL
PROCEDURE, to whom the VETERINARY SURGEONS AMENDMENT BILL was referred;
——HAVE gone through the Bill, and have agreed to report the same without
Amendment.

3 *July* 1900.

STANDING COMMITTEE ON LAW, AND COURTS OF JUSTICE AND LEGAL PROCEDURE.

Tuesday, 3rd July 1900.

MEMBERS PRESENT :

Sir JAMES FERGUSSON in the Chair.

<p>Mr. Beach. Mr. Radcliffe Cook. Mr. Dillon Sir John Dillwyn-Llewellyn. Mr. Tatton Egerton. Sir George Fardell. Mr. Humphreys-Owen. Mr. Johnson-Ferguson. Mr. William Jones. Mr. Maclean.</p>		<p>Mr. MacNeill Mr. Monk. Mr. Mount. Captain Norton. Sir Francis Powell Mr. Bryn Roberts. Mr. Herbert Roberts. Mr. Alfred Thomas. Mr. Woods.</p>
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SUNDAY CLOSING (WALES) ACT (1881) AMENDMENT BILL

There being no quorum, the Committee adjourned till next Friday, at Twelve o'clock.

Tuesday, 3rd July 1900.

MEMBERS PRESENT :

Sir JAMES FERGUSSON in the Chair.

<p>Mr. Beach. Sir Thomas Gibson Carmichael. Mr. Colston. Mr. Radcliffe Cook. Mr. Dillon. Mr. Tatton Egerton. Sir George Fardell. Sir Frederick FitzWygram. Sir Michael Foster. Mr. Johnson-Ferguson.</p>		<p>Sir John Kinloch. Mr. MacNeill. Mr. Monk. Mr. Mount. Captain Norton. Sir Francis Powell. Mr. Bryn Roberts. Colonel Welby. Mr. Woods.</p>
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VETERINARY SURGEONS AMENDMENT BILL.

Clause 1, *agreed to.*

Clauses 2 and 3, *agreed to.*

Preamble, *agreed to.*

Ordered. To Report the Bill, without Amendment, to the House.

R E P O R T
FROM THE

STANDING COMMITTEE

ON

LAW, AND COURTS OF JUSTICE, AND LEGAL
PROCEDURE,

ON THE

VETERINARY SURGEONS AMENDMENT
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WITH THE

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